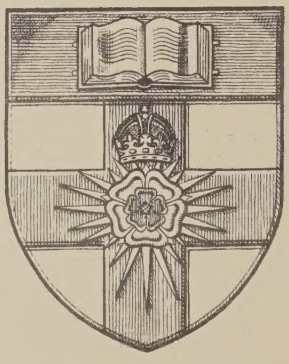

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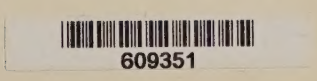
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REPORTS

FROM

COMMITTEES:

EIGHT VOLUMES.

— (2.) —

COMMONS; COMPANIES ACT (1862) AMENDMENT BILL;
CORK COURT HOUSES BILL;
CORN SALES; FACTORIES AND WORKSHOPS BILL;
HANOVER CHAPEL BILL [H.L.];
HOUSE OF COMMONS (VENTILATION); IRISH SOCIETY, &c.;
KITCHEN AND REFRESHMENT ROOMS;
LONDON WATER COMMISSION BILL;
MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY BILL.

Session

25 *November* 1890 —— 5 *August* 1891.

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1890-91.

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1890-91.

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REPORT

FROM THE

SELECT COMMITTEE

ON

COMMONS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
14 *April* 1891.

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179.

Ordered,—[*Friday*, 13*th February* 1891]:—THAT a Select Committee be appointed to consider every Report made by the Board of Agriculture, certifying the expediency of any Provisional Order for the Inclosure or Regulation of a Common, and presented to the House during the last or present Sessions, before a Bill be brought in for the confirmation of such Order.

THAT it be an Instruction to the Committee that they have power, in respect of each such Provisional Order, to inquire and report to the House whether the same should be confirmed by Parliament; and, if so, whether with or without modification, and, in the event of their being of opinion that the same should not be confirmed, except subject to modifications, to report such modifications accordingly, with a view to such Provisional Order being remitted to the Board of Agriculture.

THAT the Committee do consist of Twelve Members, Seven to be nominated by the House, and Five by the Committee of Selection.

Sir Walter Barttelot. Mr. Bryce. Mr. Walter James. Mr. Jeffreys. Mr. Roche. Mr. Story-Maskelyne. Mr. Wroughton.	Nominated by the House.
Viscount Curzon. Mr. Ellis (Merionethshire). Mr. Hinckes. Mr. Hunter. Mr. Jasper More.	Added by the Committee of Selection [*Tuesday*, 17*th February* 1891].

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

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BIBL. LONDIN. UNIV.

REPORT.

THE SELECT COMMITTEE appointed to consider every REPORT made by the BOARD OF AGRICULTURE, certifying the expediency of any PROVISIONAL ORDER for the INCLOSURE or REGULATION of a COMMON, and presented to the House during the last or present Sessions, before a Bill be brought in for the confirmation of such Order; and who were instructed that they have power in respect of each such Provisional Order to inquire and report to the House whether the same should be confirmed by Parliament, and, if so, whether with or without modification; and, in the event of their being of opinion that the same should not be confirmed, except subject to modifications, to report such modifications accordingly, with a view to such Provisional Order being remitted to the Board of Agriculture;——HAVE considered the REPORT of the BOARD OF AGRICULTURE certifying the expediency of a PROVISIONAL ORDER for—

THE INCLOSURE OF MUNGRISDALE LOW COMMON, CUMBERLAND,

and are of opinion,—

That the same ought to be confirmed by PARLIAMENT without modification.

14 *April* 1891.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 18*th March* 1891.

MEMBERS PRESENT:

Sir Walter Barttelot.	Mr. Jeffreys.
Mr. Wroughton.	Mr. Bryce.
Mr. Jasper More.	

Sir WALTER BARTTELOT was called to the Chair.

[Adjourned till Tuesday, 14th April, at Twelve o'clock.

Tuesday, 14*th April* 1891.

MEMBERS PRESENT:

Mr. Bryce.	Mr. Jeffreys.
Mr. Walter James.	Mr. Hinckes.
Mr. Story-Maskelyne.	Mr. Wroughton.
Mr. Jasper More.	

In the absence of Sir WALTER BARTTELOT, Mr. BRYCE was called to the Chair.

SPECIAL REPORT as to the Inclosure of Mungrisdale Low Common, Cumberland, was read.

In support of the Provisional Order, Colonel *Leach*, C.B., Mr. *George Pemberton Leach*, Mr. *Arthur Buller*, Mr. *William Stalker*, and Mr. *Joseph Holliday*, were examined.

Motion made, and Question, "That the Provisional Order ought to be confirmed by Parliament, without modification,"—put, and *agreed to.*

Ordered, To Report.

MINUTES OF EVIDENCE.

Chairman—continued.

scheme deals?—The part coloured green is that with which the scheme deals.

Mr. *Story-Maskelyne.*

16. What is that, mountain land?—Yes.

17. I presume the inhabitants of the locality have no rights of way over it?—Practically, they do go over it.

18. Whatever rights they have are not interfered with at all?—No.

Chairman.

19. Have you not inquired into the nature of those rights; do they belong to the same manor?—They are all in the same manor, and no doubt Mr. Buller, Mr. Howard's agent will give you all information about that. The commons coloured green are the only commons we are dealing with by the scheme.

20. Upon what ground were the particular commons coloured green, being of a very peculiar shape, selected to be dealt with as compared with the rest?—I have no doubt they were selected because they are on the lower ground, and could therefore be turned to more profitable account. You will observe the river comes up here, the River Glenderamackin. Greystoke is the whole district. One of the principal objects of the inclosure is that there is a long stretch of road running through the common unfenced, which is unsafe, and it is desired that it should be fenced. This is the part of the common which can be turned to most profitable account.

21. Are you familiar with the spot; or had we better ask Mr. Leach about that. I want to ask if there are any antiquities about this part of the common; perhaps that is not within your knowledge?—There are no antiquities about this part of the common at all; but Mr. Leach, who has been through the locality, will tell you.

22. Perhaps we had better have the details from Mr. Leach. Who pays for the fencing?—The inclosure will pay for that. Part of the land will be sold to pay for whatever expenses there are, but the land will be allotted with an obligation upon the allottees to fence. There will be no special charge for the fences, but that will be worked out by the valuer.

Mr. *Story-Maskelyne.*

23. Who are these allottees; who are the owners?—The owners who have freehold land in the locality.

24. Are they freeholders who have a right to turn out over the whole common, or only over this portion?—Whether they have a right to turn out over the whole, I cannot tell you. Each man who has a right sends in his claim, which is investigated by the valuer, and he allots a certain portion of the common in proportion to the extent of those rights.

Chairman.

25. What is the number as at present ascertained?—There are 34.

26. Have you any statement of the respective holdings of those persons?—We have no exact statement of the holdings of different parties.

Mr. *Story-Maskelyne.*

27. Have the villagers any rights over the commons?—I should think not.

28. You do not know?—I do not know.

Mr. *Jasper More.*

29. Are these parts marked for recreation?—Yes.

Mr. *Story-Maskelyne.*

30. As to these spaces by the side of the road they would be made open ground, would they not?—Yes.

31. Is there any law by which they could be inclosed; would it be contrary to law to inclose them. I think there was a judgment not very long ago which pronounced that green ground on the sides of roads was really only road-side waste?—The legal rule is that you cannot inclose within 15 feet of the centre of a road.

32. I know that is the case; but I do not think that is the case with regard to road-side waste. I think you will find that is not so, and that that ground could not be inclosed. Is it let for pasture purposes?—I do not know.

Chairman.

33. You do not know whether, in point of fact, cows browse on it. It is not part of the scheme, is it?—It is a part of the scheme that it should not be inclosed.

34. Mr. Maskelyne's question comes to this: Have we, sitting here as a Committee, and you as drawing a scheme, power to make an inclosure order for it?—We have power to deal with it in the inclosure, but keep it open.

Mr. *Hinckes.*] It is coloured for the purpose of being reserved.

Chairman.] There is no question as to what is intended; but the question is, is there power at all to do it.

Mr. *Story-Maskelyne.*] What I believe is, the villagers have a perfect right to prevent that inclosure if it is what it looks to be, merely green grass on each side of the road, which is not let for agricultural purposes.

Witness.] I daresay Mr. Leach, who is a barrister, will tell you. He can answer that question better than I can.

Mr. *Story-Maskelyne.*] You will understand what I mean. If that is given up as part of the condition, it seems to me it is no condition at all. As far as I can see from the map, I do not think really that that roadside waste can be inclosed under any circumstances; I have something to do with the law on that matter, and I have always myself strongly resisted inclosures of that kind, and I believe I have resisted them with the law at my back.

Mr. *Hinckes.*] No doubt we can make an order for the inclosure of that in the same way as on the other side.

Mr. *Story-Maskelyne.*

35. The question is, is it merely waste of common or roadside waste. If it is let as land to a tenant, of course that is another question. Then you have to consider whether it does come under

Mr. *Story-Maskelyne*—continued.

under the Inclosure Act?—It is represented to the Board as part of the waste of the common.

Mr. *Story-Maskelyne.*] I want to see if there is something substantially given up by the landlord in lieu of that. I do not like it to be a condition that the landlord is to give up so much land for a certain purpose.

Chairman.] You mean rather the converse; you do not wish something to be given to the landlord in respect of his resigning any claim over this.

Mr. *Story-Maskelyne.*] I do not like to see it put in as a ground on which the landlord is to receive compensation.

Witness.] No, but being part of the common, it has been provided that it shall be kept uninclosed for purposes of recreation.

Mr. *Story-Maskelyne.*] If you consider it waste of manor, and not roadside waste, that is another sort of thing. Then of course you are quite right in putting it in, but let it be understood it is on that ground.

Chairman.

36. What is the area of the township?—The area of the parish is 48,508 acres. It is divided into more than one township. There is one of 6,893 acres, another of 2,551 acres.

Mr. *Walter James.*

37. How long is it since the Board of Agriculture, or Agricultural Commission have had one of these Inclosure Orders before them. I have been on the Committee for a good many years and all the schemes have been Regulation Orders, I think?—I think it is about three years. The Board discourage inclosure, except there is some good reason for it.

38. What was the last; can you tell me?—Totternhoe, in Herefordshire, which was part inclosure of common field lands, and part regulation of open grass lands.

Chairman.

39. What is the last time we had one of these inclosures of what might be called mountain land; we had a large one in Wales some time ago, I remember?—About five or six years ago. The Committee will probably remember when I remind them that we provided as to the part, which was left open (and it was expected there would be a considerable extent left open), the public should have a right of access over for the purposes of recreation.

40. Is that the Welsh case?—I think so.

41. It was on the borders of Radnorshire?—Yes, I merely mention that circumstance to remind you of what took place.

42. There was also a place in Yorkshire, among the Yorkshire Fells, but I think that was further back?—That was further back. It was some time ago. In all these cases of inclosures of mountain land, we have always provided that any part which was not cultivated or planted, should be open to access to the public for the purposes of recreation.

Chairman—continued.

43. Is there such a provision in the scheme?

Mr. *Walter James.*] At one time the work of the Land Commission was almost entirely taken up with matters of inclosure; is not that so?

Witness.] The policy at that time was to inclose all the land that was not inclosed, and therefore it was a much larger work than at present.

44. Do you get many applications now in respect of this mountain land for inclosure?—No, not many within the last few years.

45. Within the last 20 years, I suppose?—I presume the reason is that land is not so profitable now as it used to be, and therefore there is not the same desire to inclose.

Chairman.

46. I do not find, unless it has escaped me, such a provision in this Provisional Order as you mention was introduced in others with regard to the free access of people?—Not in this Provisional Order, because practically there is no mountain land; it is all low land, lying in the valley.

Mr. *Story-Maskelyne.*

47. I see you mean you do not touch that part?—We do not touch the mountain land.

Chairman.

48. All this land is low lying?—All the land is in the valley.

Mr. *Wroughton.*

49. Is there any right of way across this inclosure from east to west? If a man wanted to get from here to there, where would he have to go, round here?—(*pointing on the map*)?—There is a provision in the Provisional Order, you will find, that such roads shall be made as are required for public use. That would be taken care of in allotting the lands, and it would be seen there was proper access provided.

Mr. *Hinckes.*

50. Is that strip coloured red simply proposed for the purposes of recreation or allotments?—For the purposes of recreation.

Chairman.] There is a provision that roads shall be set out to the satisfaction of the Board of Agriculture.

51. Would it not be much better to make the allotments alongside the road than have a strip?—It has never been considered desirable to inclose those strips along the road, particularly as they are in the village, and that they should be kept open.

52. Have the commoners expressed any wish as to the position of the allotments?—No doubt the allotments were set out to meet their convenience as far as it was practicable to do so.

Mr. *Jasper More.*

53. Would they consider their requirements would be covered by the six acres?—Yes. The

Mr. *Jasper More*—continued.

matter was brought before them at the meeting, and four acres were originally proposed, but the Board increased it to six acres.

Mr. *Story-Maskelyne.*

54. At the request of the locality?—No, the Board thought that provision should be made for extension.

Mr. George Pemberton Leach, called in; and Examined.

Chairman.

55. You are the Assistant Commissioner who visited the place?—Yes.

56. And who supplied the materials for the preparation of this report?—I reported to the Board of Agriculture, and this report is more or less an abstract of my report.

57. Will you give us the total amount of the common land in the township: I see it is stated here, but it may be well to give it to us?—I think it is about 5,000 acres.

58. Can you give us the total area of the township?—No.

59. It is called in the report common land; have you ascertained that the rest of the land now open and in the township is common land?—It was so stated at the meeting, and not contradicted.

60. Stated by whom?—By the persons who attended; the agent of Mr. Howard, who is lord of the manor.

61. Then, so far as you know, Mr. Henry Howard and his representatives admitted that it is common land?—The greater portion of it. Of course, there is some inclosed land in the township, but there is a very large area of common land.

62. Here you say that it is about 500 acres out of a total of nearly 5,000 acres of common land?—Yes, there are about 5,000 acres of common land independently of other land in the township.

63. As regards which there is no question that they are common land?—I believe not.

Mr. *Story-Maskelyne.*

64. Mr. Howard of Greystoke's agent allowed that it was common land?—Yes.

Chairman.

65. What is the character of this particular land with which the scheme proposes to deal?—The part of it towards the south near Troutbeck, and for about half way, I think nearly as far as the village, is fair land; it is not good land, but it might be drained and made. The further portion——

66. The northern portion, do you mean?—The northern portion is almost pure bog.

67. Has it not been drained?—No.

68. Has any attempt been made to drain it, do you know?—I do not think so. Judging from going over part of it, I should think very little attempt has been made to drain it.

69. I suppose it is used now, so far as it is worth, for pasture?—Cattle sometimes get there, but I do not think they are intended to go there.

70. What is done with it?—I think it is simply shot over. There are some grouse there, and it is a very good snipe bog in the winter.

Chairman—continued.

71. Is any part of it used for cutting peat and turf?—Yes.

72. Who have the right of cutting peat and turf there?—The occupiers of all houses in that township; and I believe the occupiers of houses in some other townships.

73. Can you tell us which township?—No; there was no very definite information on the subject to be gained.

Mr. *Jeffreys.*

74. Was the matter brought before the inhabitants at the meeting as to the right of cutting the turf?—Yes.

Chairman.

75. We will come to the meeting presently. Were any persons present at the meeting, so far as you know, beyond the inhabitants of this particular township?—There was one gentleman who lived outside the township. He said that he claimed a right to cut turf on this particular bog; and there seemed to be some doubt whether he was entitled to or not, but I do not think any question had been raised as to it.

76. What answer was made to his claim, do you know; was his claim admitted by the township itself?—There was no definite settlement, because I pointed out that if the inclosure was passed a valuer would be appointed who would carry out the inclosure, and that he would then issue notices calling upon every person who claimed any right or interest in the common, either rights of pasturage, rights of turbary, or any other rights, to send in their claims to him, and they would be investigated. For the purposes of the inquiry, I satisfied myself that in any event there was more than an ample proportion of two-thirds consent which is required under the Act to justify a Provisional Order.

77. Still, that is not the only question we have to deal with here; it is not merely that there is enough to justify the Provisional Order. We have also to ascertain what rights there are, and what objections are taken?—No objections were taken at all.

78. Did this claimant not offer any objection?—No, he supported the inclosure.

79. Can you tell us to what extent, in point of fact, the turf is used by the people in the locality for fuel; to what extent do they cut it?—I do not think to a very great extent. It is on a main road, so that they can get coal.

Mr. *Walter James.*

80. It is on a railway?—It is about three miles from Troutbeck Station.

Chairman.

81. Troutbeck Station is not far from the southern end of the common?—But there is very little

Chairman—continued.

little population on the southern end: the bulk of the population is in the village.

Mr. *Story-Maskelyne.*

82. But surely their being able to buy coal at the railway station does not make up to them for the loss of a right to go and get turf?—I understood the Chairman to ask me whether the turbary right was used to a great extent.

Mr. *Walter James.*

83. Do you know the district well enough to say whether they get coal out of the sides of the hills there?—No, I do not.

Chairman.

84. The only other rights they are claiming are rights of pasturage?—Yes.

85. No rights of digging sand or gravel?—No.

86. To what extent in point of fact are the pasture rights used?—There are a certain number of beasts turned out; horses and cattle are turned out, but I do not think to a very large extent.

87. On all parts of the common, or only in the southern part?—There are no fences. They wander about, and one of the difficulties complained of was the fact that the cattle sometimes get bogged and lost in the bog.

Mr. *Jeffreys.*

88. And the fencing of the road would prevent that?—Well, that is another question. They also go about on the roads.

Chairman.

89. Then with regard to the population, I understand from the report the nearest towns are Penrith and Keswick?—Yes.

90. Is there any other town exceeding a thousand persons in population within a radius of five or six miles?—Oh, certainly not.

91. And the population of the township itself?—At the last census was 191, I think, but they said it had diminished, and was now only 163.

92. I see that is stated, but how is it ascertained there are only 163 now. The census was not taken then, of course?—The census was not taken, of course, but it is a small place, and they were able to tell me from the rate book.

93. To what extent do the population use the place now for recreation, and where do they have their games when they have them?—Not at all.

94. Do not they play games there at all?—I could not find out that any games were played on the common at all.

95. Do not they play cricket?—No.

96. When they play cricket, where do they play?—I do not think they play at all.

97. You propose to lay out as a recreation-ground the piece marked "C," coloured yellow?—Yes, close to the village.

98. How large is that?—Four acres.

99. Is it already well drained?—It is the best drained place that there was. It is a level piece of ground, and might be made a good cricket ground if they desired to make a cricket ground there, but before it is handed over to the trustees, the churchwardens and overseers, it will be thoroughly prepared and suited for a recreation ground at the expense of the inclosure.

Chairman—continued.

100. You do not propose any recreation ground at the south end of the common, I see?—No, there are very few cottages there.

101. Are there not some people living about Lanehead, Liscow, and Moorend. I see those marked as little hamlets there?—I think they are very little more than farmhouses.

Mr. *Story-Maskelyne.*

102. What distance is that; about a mile from the other place?——

Chairman.] More than that.

Witness.] It is a considerable distance off.

103. Can you tell us how far it is from the houses along the road at the south end of the common to the recreation ground marked "C."? It would be something over two miles, or just about two miles. I may say that a point on which I made particular inquiry was as to whether there was any likelihood of its being used; and if they had been in the habit of playing cricket or games there, or if there was any population likely to use it, I should certainly have insisted on land being set out for the purpose.

104. There does not seem to be any roadside waste along the south end; is that so?—The road is open to the common.

105. But there does not seem to be a piece of waste ground along the side of the road such as there is up at the village?—No.

106. Is the road fenced at that part?—It is not fenced.

107. I mean this road that runs from Moorend to Liscow?—No.

108. What distance from the centre of the road would the fence come?—The valuer would direct where the fences were to be made.

Mr. *Story-Maskelyne.*

109. But I hope he would not be bound by the 15-feet rule, would he, with such valueless land as this. I suppose he would give rather a wider strip than 15 feet?—I think the valuer generally sets out a fair margin.

Chairman.

110. I see it is stated there are only 15 cottages in the township?—I could not make out as many as 15. Some of those which were stated to be cottages in the application would certainly not be considered cottages in the ordinary sense of the word. They belonged more to well-to-do people, and were not labourers' cottages.

111. Does any other township approach close to the common, because your remarks apply only to the cottages in this township?—I can hardly answer that question.

112. With regard to the free gardens and allotments the amount you propose to allot is six acres?—Yes, that is what is now proposed.

113. How was that quantity arrived at?—I took the number of cottages which were actually in existence, and considering that the population had diminished considerably during the last ten years,

Chairman—continued.

years, I thought there was no probability of an increase in the population; and in setting out four acres, I set out sufficient to give a quarter of an acre for everything that could possibly be considered a cottage in the township, and then the Board of Agriculture considered it might be advisable to set rather more, and they increased the four acres that I suggested to six.

Mr. *Story-Maekelyne.*] But the other three are put down two miles away.

Mr. *Walter James.*

114. But the population of the township is 163?—There are 15 cottages, which is the outside number.

115. Do 163 people live in 15 houses?—There are farmhouses as well. The bulk of the labourers do not have cottages of their own, but live in the farmhouses.

Chairman.] In that case the number of cottages does not measure exactly the number of people for whom allotments will be required.

Mr. *Story-Maskelyne.*] If you have a population of 163, and assign, we will say, six people to a family, it gives you a very much larger claim upon allotments, I think, than what you seem to have set out.

Mr. *Hinckes.*] But the women and children do not want allotments.

Mr. *Story-Maskelyne.*] But 15 cottages would not contain the population which is represented. If you take 163, and divide it by five, you get something like double the number of cottages the witness said, that is to say, you have double the number of persons, who, supposing the old custom was given up of living in the farmhouses and cottages were built, which would give you a considerable cottage population who would have no means of getting allotments except on these three acres, and there would be certainly 30 cottages required for this population.

Witness.] I think the honourable Member is assuming all the population are in cottages.

116. I am assuming it because we are simply taking it as we have it. Young farmers want to play, and their relations will want to have some allotments; the farmer's sons marry, and they may want to have a bit of allotment?—If you ask my opinion on the subject I may say that, I believe, practically setting out these six acres of allotment will be perfectly useless; they will not be taken up.

117. Have they got gardens?—No.

Mr. *Jeffreys.*

118. There are gardens, but small ones, I think?—Some of these cottages have gardens, but small ones. In that locality they do not care for them.

Mr. *Story-Maskelyne.*] Not to-day, but they may another day.

Chairman.

119. What quality is the land which you have allotted in these two pieces?—The land near the village is fair land.

120. That is at the north end?—That is at the north end. The land at the south is not set out, but it is to be left to the valuer to choose the most suitable land for the purpose.

121. But it is marked here as "B."?—I think in the Provisional Order it says, "at or near the spot B." I thought it would be better to leave it to the valuer to choose the particular land; that he would be a better judge of land than I was.

122. Did you consider whether it would be better to arrange that out of other land which the lord of the manor has, part should be given for gardens and allotments, and some compensating benefit given to him in case, as I understand you to say, most of the common land is very poor land?—I am quite sure as regards the village, I have secured about the best land there was on the common, and it is only on the common that land could be taken that could possibly be used for the gardens, because any other land would be too far away.

123. I do not know whether the lord of the manor owns the other land in the neighbourhood close by?—No, he does not, I think. There was one small field which I thought might possibly do, but the owner of the land said he would not be disposed to give it up.

124. He was not the lord of the manor?—He was not the lord of the manor, he was only one of the commoners.

125. Are there any minerals on the land, as far as you know?—None are believed to exist.

Mr. *Story-Maskelyne.*

126. There are lead mines in the neighbourhood, are there not?—There are some in the neighbourhood, I believe.

127. How far off?—I think in the neighbourhood of Keswick.

128. But nearer than that there are some, are there not; east of this you will find lead mines somewhere?——

Chairman.

129. Have they been looked for, do you know?—I do not think so.

130. Has no attempt ever been made to find them in the neighbourhood; do you know whether there is any gravel of any value on the land?—No.

131. Or stone fit for slate or quarrying purposes?—No. The question was raised with reference to getting stone for the repair of the highway, and the only thing was to get some out of the Beck.

132. Do you know what the rock is?—I should not like to say.

133. Are there any antiquities or remains of any kind on the part of the common proposed to be inclosed?—No.

134. There are some I see, marked on the map of the neighbourhood on other commons?—There are none according to my information.

135. With regard to the local inquiry, you held one local inquiry as I understand, and how many

Chairman—continued.

many public meetings?—I held one public meeting on the morning of one day, and another public meeting on the evening of the second day.

136. What notice was given of the meetings?—Twenty-one day's notice.

137. By placards or how?—By notices of the meetings being posted on the church and chapel doors and other places where notices are usually posted in the neighbourhood, and it was also advertised in the local papers.

138. I see the morning meeting was attended by 12 persons, and the evening by meeting 16. Can you tell me who the persons present were, whether they were cottagers or not?—They were all classes.

139. Were there any cottagers present. I do not see any cottager mentioned as being present?—I should think the bulk of the labourers were out in the fields.

140. What about the evening meeting?—Yes, at the evening meeting, there were one or two.

141. One or two only?—I think one or two.

142. I see the small attendance is explained by the fact that hay-making was going on at the time?—Yes.

143. Did you take any other opportunity of ascertaining what the feelings of the cottagers were if they did not come to the meeting?—I talked to one or two people about in the neighbourhood; the landlord of the inn at Troutbeck, and the Vicar of Matterdale, which is not very far off. Then I had a letter from the district surveyor of highways.

144. My question goes rather to the cottagers, to the poorer classes. What means were taken of ascertaining their feelings, seeing that they did not attend the meetings on account of hay-making?—I may have talked to one or two if I met them; but I did not take any other special means of searching out the labourers.

145. Was any suggestion made as to what means of communication should be provided across the common?—There was no suggestion made that any communication across the common was desirable. You will see there is a main road running through the common from north to south, and a main road from the south of the common to east and west.

146. At the very south end?—Yes.

147. But then there is a stretch from there of more than two miles to the north of the common; the common is very long and narrow, you see; and I do not see marked here any public road running across the common, or even a right of way?—The valuer will have power under the Provisional Order to set out any roads which may be found desirable.

Mr. *Wroughton.*

148. Where does the valuer get his ideas as to what is desirable?—He holds meetings which all persons interested attend.

Chairman.

149. I see you say the Provisional Order has been consented to by the lord of the manor, and by 17 of the 24 persons interested as commoners. Those commoners are owners of certain tene-

Chairman—continued.

ments in the neighbourhood, are they?—Yes, owners of land in the township.

150. What about the other seven; has no intimation been received from them?—I think they were either away or had not sent any answer.

151. But if they were away the notice would reach them would it not?—They are generally communicated with by the persons who are promoting the inclosure.

152. Have you any indication at all of their wishes or opinions on the matter?—Except that there was no dissent given. I inquired as to why the others had not signed, and I think probably there were some who lived at a distance, and I think one or two ladies who said although they did not oppose it they would not pledge themselves.

153. Are there any means by which notice of this could have reached persons who lived in other townships who claim rights over the common?—Yes, through the newspapers.

154. I see what is stated to be the general advantages expected from the inclosure. Have you anything to add to what is stated in the paragraph of the report on that subject about the advantages of fencing and so on?—No, I think those are the principal advantages.

155. Then I understand that there is at present practically a complete freedom of passage over the large fells and moors which are in the neighbourhood?—Yes. There is one point which I think the Committee have not had brought before them. The lord of the manor proposes that his allotment should be set out on the bog, which is poor and worthless land.

156. Except for sporting?—Except for sporting and planting.

Mr. *Walter James.*

157. That is his 16th?—His 16th, and any other allotment which he would be entitled to in respect of his bonds in the township?—The people who were present at the meeting expressed very great gratification at that; so that the best part of the common will be preserved for the smaller holders.

Mr. *Story-Maskelyne.*

158. Would that extinguish the right of turbury of the neighbouring cottagers?—Yes, that would be so.

159. And they were pleased to think their rights would be extinguished?—Yes.

160. They were satisfied?—Everybody agreed that it would be a very good thing, and as far as they were concerned they thought it a very generous thing on the part of Mr. Howard.

161. It is a good snipe ground, is it not?—Yes; it was purely worthless to them, and part of it may be planted which would afford an additional shelter, and that was considered an additional advantage.

Mr. *Jeffreys.*

162. When you said that the occupiers of these cottages had rights of common and turbary rights I suppose you meant every cottage had a right, not the occupiers?—The rights would be

Mr. *Jeffreys*—continued.

attached to the cottages. Strictly speaking the legal right would be in respect of an ancient cottage, but I believe that practically no objection has been raised.

163. But if a new cottage were built that would not have necessarily common rights?—No.

164. Therefore the occupiers merely have the rights as living in these cottages?—As living in these cottages.

165. Therefore when you consulted all the people in the parish a great many of them had really no common rights whatever; the labourers for instance and those people living for hire had no rights whatever?—They would have no rights.

166. And those people who owned the cottages and therefore were commoners, agreed it was to their advantage that they should have this land enclosed?—I think so; it was so taken because there was no expression of dissent from any quarter.

167. And when land is enclosed it will be distributed amongst the various owners who formerly had common rights?—Yes.

168. I will not ask about the road-side wastes, because I think another gentleman is going to ask about that. It is a very important matter. With regard to that yellow piece of land is it of a form suitable for a football or cricket ground if such a thing were wanted?—Yes; I chose it specially; I went round the village and looked at one or two places that were suggested, and I chose this as the most suitable place I could find.

169. On account of its being level, and on account of its form?—And also on account of its proximity to the village school.

Chairman.

170. That is in Mungrisdale village, I suppose?—Yes.

Mr. *Jeffreys.*

171. When you said the allotments were about a quarter of an acre to each cottage, of course, with regard to the great population of 164, most of them are living in farm-houses and, therefore, do not want allotments?—Well, there would be the farmers, or the statesmen as they are called there, and their families, and labourers living with them who would not want allotments.

172. Is it not the custom in Cumberland that hired labourers live in the farm-houses?—To a great extent.

173. And are hired from year to year?—Yes.

174. Therefore, they do not want allotments?—No.

175. And, therefore, you thought a quarter of an acre to each cottage was sufficient?—I set out more than could be possibly used with the four acres.

176. With regard to the width of the road, would that be decided by the county council, or do we decide that? who decides the width of the road?—I think the county council, unless there is a special object for making a provision here. It is not as a rule done here.

Mr. *Story-Maskelyne.*

177. Will this be a main road, or is it a parish road?—It is a highway; it is a main road.

178. It is a question of jurisdiction, whether the county council have any control over it or not?—The two existing roads are both main roads.

Mr. *Jeffreys.*

179. Therefore, the county council would decide on the width and where the fence was to be?—I presume so.

180. Have you sufficient knowledge of the matter to say whether 15 feet from the centre of the road is the only width that can be allowed. Have not the county council power to make wider roads?—I should not like to answer that question off-hand.

Mr. *Hinckes.*

181. With regard to the allotments, assuming six acres to be sufficient, would not it be better to distribute them equally three at the northern and three at the southern end of the parish. Would the valuer be able to do that?—He would have power to do that. The Board of Agriculture would have power to authorise the valuer to change the situation of the allotments if on a report from him it was found desirable to do so. The old Land Commissioners have power under the Inclosure Acts to authorise the valuer to approve of a change in the situation of the allotments.

182. That is to say, put four in the north and two in the south?—Yes.

183. Is there a power, and if so, where is it lodged to make that alteration in the scheme?—It is in the Inclosure Acts; a statutory power.

Chairman.

184. Which still exists?—Yes.

Mr. *Jasper More.*

185. Do you generally assume that allotments are required only for gardens in these commons?—That is the only power that there is of setting out these allotments for. The Act says expressly allotments for field gardens.

186. And nothing else?—No, unless other allotments for other public purposes were considered desirable.

187. What becomes of the rest of the land; would an inclosure of this kind preclude the possibility of getting a larger allotment at any future time?—I do not quite understand the question.

188. I mean supposing any of the future inhabitants of these cottages wanted a larger garden allotment, the right would be gone for ever, would it not?—The allotments set out would be vested in trustees; the churchwardens and overseers, to let to the neighbouring poor, and of course if they found one man wanted more and others wanted less then they would probably in their own interests give those who wanted more a larger quantity.

189. Would the right of these cottagers to turn out a cow on the common be extinguished after this?—It would; but they would have received an allotment in respect of their right.

Any

Mr. *Jasper More*—continued.

Any cottager who had a right to turn out a cow on the common would receive a separate allotment for himself entirely independent of these public allotments.

Chairman.

190. *Qua* commoner?—*Qua* commoner. Anybody who has any right of any description on the common will receive a compensating allotment for that.

Mr. *Jasper More.*

191. Irrespective of these gardens allotments?—Irrespective of these garden allotments entirely. These garden allotments and the recreation ground are set out for the benefit of people who have no rights on the common at all.

192. I thought it was said there was no expression of opinion in favour of allotment for any other purpose than these gardens?—No.

Mr. *Walter James.*

193. On the question of allotments do you know whether any of these cottagers have cows on the common?—I do not think so.

194. You stated you thought the feeling was one of indifference with regard to allotments?—

Chairman.

195. I understand Mr. Leach to say the cows got on the common and got lost in the bogs?—I understood the Honourable Member to ask whether the cottagers turned out cows.

Mr. *Walter James.*

196. Yes, that is what I meant?—Cattle and horses are turned out, but they are turned out by the statesmen and not by the cottagers.

197. But you cannot speak from certain knowledge can you?—No.

Mr. *Jasper More.*

198. Are we going to preclude the right of any future occupiers of these cottagers to turn out cattle if they choose to do so?—That certainly would be so.

Mr. *Walter James.*

199. They certainly will be precluded from that right?—They would have received allotments of land in substitution.

200. Do any of the cottagers in these 15 cottages keep a cow and turn it out on the common?—I should say certainly not.

201. Then you stated you thought that with regard to the allotments or field gardens that the feeling of these cottagers was one of indifference towards a further allowance of land?—Not so much the feeling of the cottagers because the cottagers did not express their feelings, but talking to the different people whom I had conversation with I gathered there was no feeling about gardens in the neighbourhood.

202. Do you know what the employments of the cottagers are for the most part?—Entirely agricultural.

203. What sort of agriculture; are they shepherds or general labourers, spade labourers, or what?—I should think more shepherds.

Mr. *Story-Maskelyne.*

204. You have been talking about persons who have a right to turn out on this common. What common are we talking about, all this vast area or only that little place close to these villages. Who are the people interested in claiming the right of common. Do they claim rights of common over all this forest or only that portion?—The rights of common over the whole of the waste land in the township would remain except as regards these five hundred acres.

205. That is not quite what I meant. Will you look at this map you will see there is a very large area of fell land on each side?—Yes.

206. Is that included in the same manor and in the same common we are talking about, or is that a separate common distinct from that as far as tenure goes?—I think the remainder of the township goes more to that side.

207. You mean to say the township is the limit of the claim of anybody to turn out on that part?—Quite so.

208. They must be persons who own land in that township?—Yes.

209. And the commons outside of it, all this large mass on either side, east and west, is entirely excluded from the, purview of what is proposed?—Yes, except so far as any part of that land outside comes within the 5,000 acres of common which still remain in the township.

210. And out of those you think there would be only something like 24 people who would make claims?—Yes.

211. And they would be for the most part statesmen or people who would have land of their own, and who have rights on the common by reason of perpetuity?—By reason of ownership of land in the township.

212. And the cottagers there have no right; as I understand you they are absolutely excluded?—The cottagers would have no legal right of pasture.

213. What is their tenure; are they freeholders or copyholders, or how do they hold their land?—I think the cottagers are mostly weekly tenants.

Chairman.

214. You said you understood a right of pasture was attached to a certain number of those cottages?—I beg your pardon, a right of turbary.

214*. I understood you to apply it to the common rights generally?—No, only turbary.

Mr. *Story-Maskelyne.*

215. Do you think you have entirely exhausted the opinion of these cottagers about those rights of turbary; are they so invaluable to them that they would rather see the turbary rights taken away altogether, and the bog absorbed by the land owner?—I think if the turbary rights were of any value, I should have had it brought to my notice in some way, either at the meeting or by the people whom I talked to at different times, because I was in the locality two days, and I took every opportunity I could of ascertaining anything that would be desirable in the interests of the neighbourhood to provide for in case the inclosure was carried out.

Mr. *Story-Maskelyne*—continued.

216. Did you see any dried peat about?—No.

217. Nowhere?—Nowhere.

218 They do not burn peat in that county, do they?—I knew that it was bog at a certain part of the bog.

219. They do dig peat?—Yes.

220. And that part of the bog they give up?—That part of the bog they give up, but I think only to a small extent. Probably as to that, Mr. Buller, Mr. Howard's agent, will give you more definite information than I can.

221. You lay a very small quantity out for allotments, three acres for 15 cottages. That is not a fourth of an acre to a cottage?—I beg your pardon. The 15 cottages are in the whole township, they are scattered about.

222. Are they giving up, as they have long ago done in some parts of England, the custom of cottagers living in the houses with the statesmen?—I should think not, because several of these 15 cottages, if there are 15, are vacant, and have been vacant for some time.

223. You think in other words then that they will continue to live with the statesmen. I am thinking of the future. Supposing hereafter the custom changed, a good many more cottages would have to be built. However, that must be left to the future?——

Mr. *Jeffreys.*

224. As to the ownership, in whom would the control of these allotment field gardens be vested?—In the churchwardens and the overseers of the parish.

225. In the same way as the recreation ground?—Yes.

226. It is not so stated?—It is a provision of the Commons Act, 1876.

Mr. *Story-Maskelyne.*

227. I should like the Committee to be able to rely upon this that there would be a good roadside strip alongside these roads when they are inclosed. It would not be very much to the lord of the manor, and I suppose would be a very great comfort and use to the people who go along the road?—That might very easily be done in this way. That the valuer when appointed acts on certain instructions given to him at the meeting.

Chairman.

228. At a meeting of what?—At a meeting of the persons interested. Mr. Buller will be here, and I have no doubt if the Committee consider it desirable he might undertake that the valuer should be instructed to set out a certain width.

229. Is the valuer in communication with the Board of Agriculture?—Constantly.

230. I mean does the Board give him any instructions upon these matters?——

Mr. *Story-Maskelyne.*

231. Would it be in the power of the Board of Agriculture to say to him that it was desirable in a district like this to lay out good broad strips of land for the roads?—I think certainly

Chairman.

232. You mean so much grass on each side of the road as a man might ride upon?

Mr. *Story-Maskelyne.*] Yes.

The *Witness.*] I think so certainly.

233. Where people can walk upon with comfort?—I think so.

Chairman.

234. What has the practice of the Board of Agriculture lately been in these schemes as regards the size of the allotments; that is to say, what have they considered to be the proper size of an allotment and field garden in making provision for the number of persons who are likely to take advantage of it. You have mentioned a quarter of an acre. I want to know if that represents the usual thing?—That is the rule I have always gone upon in stating what the requirements should be, namely, that if possible there ought to be a quarter of an acre for each cottage.

Mr. *Jasper More.*

235. Do you preclude the possibility of any future occupants of these cottages taking a different view of their requirements? If these present men are so indifferent to allotments it does not follow that future occupants will be equally indifferent. Do you put it out of their power to have more?—That would be so to some extent, but the allotment at present is a considerable one for the number of cottages. There is more than a quarter of an acre; it comes to nearly half an acre for each cottage.

236. It does not follow because the present occupants of these cottages are indifferent that their successors will be still indifferent. Supposing the character of the neighbourhood changed, this plan would place it entirely out of their power to get more land.

Mr. *Wroughton.*

237. Can we rest assured that the Board of Agriculture will insist on some right of way being reserved to the public from east to west in laying out the roads?——

Chairman.] You see it says that "such roads and paths to be set out to the satisfaction of the Board of Agriculture as may be convenient for the public use."

Witness.] Yes.

Colonel *Leach.*] I think I had better answer that question; I may assure the Honourable Member the Board would take care that was done. In point of fact they always require from the valuer a plan of the roads he is going to lay out, in order that they may see proper accommodation is going to be provided.

Mr. *Wroughton.*] It is very important in a long narrow strip like that.

Witness.] A certain number of occupation roads certainly would be necessary. There was one point on which a question was asked, and that is in reference to the roadside

side strip in the village, which although it is only a narrow strip might possibly be considered to partake something of the nature of a village green. The object in including that was to put that land under management with the recreation ground and give the churchwardens and overseers power over it, which at present they would not have. Special provision was made in one of the Inclosure Acts for that purpose enabling the village greens to be vested in the churchwardens and overseers as a recreation ground.

Chairman.] But the question that was raised on the matter, was whether the roadside strip had been reckoned in as part of the land over which the lord of the manor resigned his rights.

Mr. *Story-Maskelyne.*] And whether as such he got compensation.

Witness.] It is either a small roadside strip or waste of the manor. I think probably it is waste of the manor; the waste is all continuous, and it is part of the waste of the manor, and as such he would be entitled to compensation in respect of it, but the compensation would only amount to one-sixteenth of three acres or less than that.

Mr. *Walter James.*] It is the case, is it not, that it is not competent for this Committee to amend the Provisional Order, but the Board of Agriculture have power to amend the Provisional Order, have they not?

Chairman.] It would require to come before us agrin.

Mr. *Walter James.*] Can we amend it?

Colonel *Leach.*] Not unless the Committee require it. If the Committee refer it back to us, it would come before the Committee again.

Witness.] But it would have to be sent down to the parties and fresh consents obtained.

Chairman.] What we have power to do is not to approve the Provisional Order, but to recommend a modification of it, and that goes back to the Board of Agriculture to reconsider it and send it to us again.

Colonel *Leach.*] If there are any points the Committee think want modifying, the Board have power to do it, and would carry out any recommendation of the Committee.

Mr. ARTHUR TREMAINE BULLER, called in; and Examined.

Chairman.

238. YOU have been agent I understand for Mr. Howard for the Greystoke estate for 10 years, and you reside at Greystoke?—Yes.

239. Which is about five miles from this common?—About that.

240. You know the common of course?—Yes.

241. Have you heard of any objection being made to the inclosure?—I have heard none whatever.

242. Have you taken steps to ascertain the wishes of the people in regard to it?—Yes. I have seen most of the owners and I have heard no objection whatever. One of the owners did say he was not sure whether he would support or not; but he afterwards said he thought it would be the best thing that it should be inclosed: and he has signed the application.

243. What can you tell us with regard to the commoners from whom no reply has been received who are said to be seven out of 24?—I know most of them. One is Mr. Mandel who has had the most use out of this part of the common. He lives at a distance; but he is not against it; neither is Mr. Jennings. He lives at a distance too and did not attend. He is in favour of the inclosure, I have heard from his tenant. Neither is a lady who did not attend. We did not go to the trouble to get the application signed by everybody as we considered that two-thirds of the number was sufficient, but none of them dissented.

244. Can you tell us anything about the feelings on the subject among the poorer population, the cottagers and so on?—Really all the labourers live in the farmhouses; as a rule the

Chairman—continued.

farms are entirely worked by the owner and his sons and daughters. There are practically no labourers or very few. The cottages (I do not think there are 15 occupied at present) such as they are, are occupied by the tailor, the blacksmith, the shoemaker, the schoolmaster, and so on.

245. What is the character of the farms; in the locality; are they small farms?—Mostly small farms; it is entirely a sheep district.

246. Not much arable land?—No, hardly any at all. They only plough perhaps one field, five acres or something of that sort.

247. Are the hired people mostly shepherds?—Entirely shepherds; I mean shepherding is the great industry of the district.

248. With regard to the main roads, I understand that you can tell us that the two main roads which cross the common from north to south and east to west are not fenced?—No, they are in a dangerous state. I have seen the county surveyor myself on the subject, and he several times said to me he hoped the common would be inclosed as it would be a protection to the public. These roads are at present dangerous, and at the meeting it was understood that such road-side waste as was required by the county surveyor would be set out. It is of no agricultural value, and if it is required by the road it might be used for the road.

249. In what sense is it dangerous?—There are several places which we call gills, very steep ravines which are very dangerous places at night. There are three or more of these on the common and then there are these bogs and morasses.

250. I suppose the basis of the inclosure is

Chairman—continued.

the idea that the land when inclosed will be more valuable to the commoners?—There is, no doubt, it would be much more valuable to the commoners, because what they require in that country is low-lying land. All this land is from 600 to 700 feet above the sea, but we call that low-lying land by comparison; and what they want is this low-lying land to grow some small quantity of hay to feed the sheep in the winter. All the summer the sheep live on the fells.

251. Then it would be more useful for grass in your view than it would be for raising any kind of crop?—Far more.

252. In fact it would be too high for most crops, I suppose?—Yes.

Mr. *Story-Maskelyne.*

253. What do they grow?—Oats.

Chairman.

254. Any turnips?—Yes, they grow swede turnips.

255. And as I understand there is an abundance of pasture on the high fells in the neighbourhood?—Yes, and the same commoners have the same rights there.

256. May we take it that such rights as exist over this common proposed to be inclosed, exist over all the common land in the Mungrisdale township?—That is so.

257. How is it with regard to the open mountain lands in other adjoining townships. I mean is the township the measure of the common right?—The manor is general, and the manor is generally contemporaneous with the township boundary.

258. With regard to the extent of turbary, to what extent is turf or peat cut on this property?—It is very largely used for turbary, but an explicit pledge was given by the lord of the manor at the meetings that were held that in no way whatever would the rights of turbary be interfered with; that any quantity which was considered desirable would be set out to an unlimited extent, and the present rights would continue, only that they would be defined.

Mr. *Walter James.*

259. How defined?—They would be defined by inquiring who had rights of cutting turbary, and set out allotments accordingly.

Chairman.

260. That is to say there would be a compensation; an allowance would be made in respect of turbary?—Yes.

261. But the turbary rights themselves would cease to exist?—The rights would not cease to exist; they would continue to exist.

Mr. *Story-Maskelyne.*

262. Each person who had a claim to turbary would have a portion set out?—Yes.

263. He would very soon come to the end of that, would he not, or another generation would come to the end of that bit so set out; at present it is unlimited?—There is only a certain quantity of peat; the whole of the piece that is subject to turbary would be set out.

Chairman.

264. Then the piece suitable for turbary is the north end?—Only a portion.

265. I mean all that is fit for turbary, as I understand, is in the white moss?—Yes.

266. Then what I understand is contemplated is, that each person who has a right to turbary shall have a bit set apart for him in that bog?—Yes.

267. Is it within your knowledge that persons not within the township claim to have rights of turbary?—Yes.

268. What do you say about those rights?—They would send in their claims, and if they were substantiated they would receive their allotment.

269. Do you know how many such persons there are?—No. I know of some. There is another township on the other side of Greystoke Park which has rights, but they have never been used to my knowledge. I believe 20 years ago somebody went with a cart there. It is a distance of eight miles from the common.

270. Is peat practically the fuel chiefly used by the poor people in that neighbourhood?—Yes, in Mungrisdale, but this belongs to Mungrisdale only, with the exception of what I have said.

271. Can you give us any estimate of the average size of the whole of the properties of these statesmen who are commoners. About how many acres on an average do they hold?—Very small; 100 acres would be a considerable ownership for one of them. I should say 100 acres and under.

Mr. *Jeffreys.*

272. Whom are the cottages chiefly owned by, one owner or several owners?—I could not say for certain. I think two or three owners.

273. Does every cottage have ancient rights of turbary and pasture?—Not as a cottage only. The owner has the right if he has a right of common.

274. The owner of every cottage?—If he is a customary tenant he has a right; if he is a tenant of the manor he has a right.

275. Then all the commoners are tenants of the manor?—Yes.

276. Then every tenant of the manor therefore has a right of turbary and common rights?—Yes.

277. Then a new tenant of the manor must be a copyholder in some way. Every new tonant would not have those rights, I imagine?—We cannot make a new tenant; he is admitted from the preceding owner.

278. And the right would descend to him?—Yes.

279. Irrespective of any building; it is not attached exclusively to buildings?—No.

280. With regard to these roadside wastes, you say that alongside a main road a fence would be placed, according to the judgment of the county surveyor?—Yes.

281. And the county surveyor naturally would be under the jurisdiction of the county council?—Yes.

282. Therefore the county council would practically decide the width of the roadside waste?—Yes.

283. What

Mr. *Jasper More.*

283. What proportion of the common does the lord of the manor take?—We are not very greatly interested in it; we have not reckoned what our share would come to; a sixteenth for his rights other than farms, and so on; but I should think that roughly it might come to perhaps three-sixteenths of the whole common.

284. Are there many sheep on the common now?—It is almost valueless for sheep now; they stray so along the roads that people cannot use the common. There is more trouble in looking after them and searching for them again than it is worth.

285. Are there any cattle?—I have seen as many as 40; but the same applies to them, and they are apt to get into the bogs, and morasses, and gills.

Mr. *Walter James.*

286. Do what sheep there are get mixed, and the owners separate them?—No, there is much better sheep pasturage on the fells than here. This is unsuitable land, wet land.

287. Then if it was drained they would come down?—It would be useful land then for hay for the winter.

288. What do you think with regard to this arrangement as to allotments in the Provisional Order?—At present there are no allotments ever required there.

289. I will speak of them as gardens?—Gardens are very little sought after. The farms are chiefly worked as I say by the owner and his family, and they have no time to do much gardening.

290. The schoolmaster, and the tailor, and the blacksmith like a garden, do they not?—But they have small gardens. It is not a very suitable climate for gardening. It is 600 or 700 feet above the sea.

291. And the shepherds do not care about a garden?—No, there is ample garden ground.

292. Taking the shepherd who goes walking the hills for his sheep, it would be almost an insult to offer him a spade?—That is so.

Mr. *Wroughton.*

293. Do you know what kind of fence it is proposed to put alongside this road. It would not be one injurious to horses or cattle, such as barbed wire, would it?—It certainly would not be barbed wire. Stone walling and dykes is the fencing of the country generally, and, of course, wire is used too.

294. But not barbed wire?—No, not barbed wire.

Mr. WILLIAM STALKER, called in; and Examined.

Chairman.

295. You live in Mungrisdale?—Yes.

296. You are a farmer there, and an owner of land?—Yes.

297. And a commoner of the manor, with common rights over this common?—Yes.

298. Tell us what you think of the advantages of the scheme proposed; as I understand, you are in favour of it?—It would be of very great advantage.

299. In what way would it be an advantage?—By being improved.

300. You desire, I understand, to see the land drained?—Yes.

301. And you believe it could be improved?—Greatly improved.

302. In what respect do you think the improvement would come. How do you think more could be made of the land?—It can be made into good useful land; good hay land.

303. Do you consider thatmore beast could be kept there?—Yes.

304. How many more?—Four instead of one, if it was cultivated.

305. And I suppose also you think there would be more labour; occupation for more labourers?—Yes.

306. Is the population increasing in Mungrisdale?—Decreasing.

307. And I understand you think that inconvenience arises from the want of fencing along the roads?—Yes.

308. What is the feeling of the inhabitants with regard to the proposed inclosure?—They are all in favour of it.

Chairman—continued.

309. Do you know of anyone against it?—No, no one.

310. Are you speaking now of the owners or the population generally?—The owners and the population generally.

311. Do you know of any people living in the cottages who are not commoners who have expressed any feeling about it?—No.

312. Have you ever heard anything said by them about the allotments and field gardens?—Nothing. They do not want gardens.

313. Why not?—They have gardens belonging to the cottages.

314. Would not they like to have larger ones or better ones?—No, I do not think they would; it would be a lot of work for them.

315. Do you know anything about the quality of the land in the two pieces that are proposed to be set out for field gardens?—Yes.

316. What sort of land is it?—It is fairly good land.

317. Fit for gardens?—Yes.

318. Is there any other point you want to tell us about?—No.

Mr. *Walter James.*

319. Do not they take an interest in these gardens at the local flower shows?—No.

320. Do not they have flower shows about Keswick and Penrith in the summer-time, and send their things there?—No.

321. They do not care about it?—No.

322. A shepherd does not care for the spade, I suppose?—No, they have not time for gardening.

 323. A word

Chairman.

323. A word about the turf; they are in the habit of cutting turf or peat on the northern part of the common are they not?—Yes.

324. Do the poor people chiefly burn peat there?—Yes.

325. Have you considered at all what the result of the enclosure of the common would be as regards the getting of peat?—I expect they will get peat as they have done.

326. Are there any other parts of the neighbouring commons where peat can also be had?—Not on this lower common; this common that is going to be enclosed. There is peat on High Fell.

Chairman—continued.

327. How far off is that?—Not very far.

328. Do people go there to get peat?—Some people do.

329. Can you say at all how many people are in the habit of going and digging peat on the common that is now going to be enclosed?—Nearly all the people in the township.

Mr. *Walter James.*

330. Do the people get any coal out of the sides of the hills there. Is there any coal there?—No, no coal at all.

Mr. JOSEPH HOLLIDAY, called in; and Examined.

Chairman.

331. You live at Mungrisdale?—Yes.

332. I think you are a blacksmith there?—Yes.

333. Are you a commoner there?—No.

334. Have you ever made any use of the common?—No.

335. Have you ever cut turf there?—Yes.

336. Do you think the enclosure of the common will make any difference to you?—No, not a bit.

337. But if you have been in the habit of cutting turf it will, will it not?—Yes; but the right to cut turf is going to be reserved.

338. But then you are not a commoner, as I understand?—No; but that makes no difference.

339. Do you consider that you have a right to cut turf there?—Yes.

340. Although you are not a commoner?—Yes.

341. What, so far as you know, is the wish of people about this scheme?—The general wish is that it would be better enclosed.

342. Why do they think so?—Well, the road that goes right through the common is very bad at present, and dangerous in places to traffic of any sort.

343. Is that on account of the bogs, or on account of the gills?—The bad places at the edges of the road. There is not much bog just by the roadside. It would greatly improve the look of the neighbourhood too if it were enclosed.

344. I see you say that the stock stray off, and get into the dangerous places; is that so?—Yes.

345. I see also you say that the police make complaints to the owners about the damage that their stock do?—Yes, it has frequently happened.

346. Have you heard many opinions expressed about the enclosure?—Yes, a good many.

347. Have you heard anybody say that he is against it?—No, I have not heard any objection.

348. Have you heard people talk about the getting of field gardens or allotments?—No, they do not care much about that, they have all good gardens.

349. Do you know that it is proposed to have two pieces of land for field gardens?—Yes.

350. Do you know whether these bits are well placed for the purpose?—Yes, I think they are.

Chairman—continued.

351. Do you know what the quality of the land is?—Yes.

352. Have you got a garden yourself?—Yes.

353. How big is it?—It is a large one, I could not tell exactly the size.

354. A quarter of an acre?—That is not so far off, but I do not think it is quite that.

355. I understand your view is that the principal benefit in this case would be the fencing of the roads?—Yes, it would be a great benefit that.

356. Is there anything else you want to tell us about the inclosure?—No, I think that is all.

357. We want particularly to know whether you have heard anybody make any objection to it?—No, I have heard of no objection.

Mr. *Hinckes.*

358. Have any accidents happened from the road not being fenced?—Yes, I have known several accidents.

359. Therefore it would be for the benefit of the general community to have it fenced?—Yes.

360. Does your cottage have common rights. Have you a right of turning out?—They have all rights to dig peat.

361. That is the only right you use?—Yes.

Chairman.

362. You have never put a beast on the common have you?—If cottagers have land they can.

363. But you have not yourself put any beast on the common?—No.

Mr. *Hinckes.*

364. But does that right attach to your cottage; could you if you liked?—Yes, if I had land I could.

Mr. *Walter James.*

365. Yes, if you had land; but you have not land?——

Mr. *Jasper More.*

366. Have not you the right to turn out now if you have no land of your own?—No.

367. Are you taking one of these new gardens, one of those allotments for gardens, in addition to your own?—No; I have got plenty of garden. I would not take any.

368. Do you think many people would take them?—

Mr. *Jasper More*—continued.

them?—No, I do not think any would at the present time.

369. Should you say that the population of the district is increasing?—No; I think it will be decreasing.

370. There are no works near enough to cause any fresh people to come and live in the district?—No.

371. And you think there is no prospect of any more cottages being built?—No.

Chairman.

372. Do you know whether there are any mines at all in the neighbourhood?—There are some mines about five miles away.

373. What kind of mines, lead mines?—Lead mines.

Chairman—continued.

374. In which direction; what is the name of the place?—Threlkeld.

375. That is where you were born?—Yes.

Mr. *Jasper More.*

376. Are they at work now?—Yes, they are at work.

Mr. *Walter James.*

377. What sort of accidents have you known happen on the common; have horses and beast been killed?—Yes; sometimes in the winter, when it is covered with snow, the place is level, and there being no fences, they stray off the road.

378. And you have known them lost?—Yes; I have known accidents, such as carriages thrown over.

379. Have you ever known anybody lose his life?—No, I have never known that.

Colonel LEACH, re-called; and further Examined.

Chairman.

380. YOU wish to state to us that a few years ago there was a part regulation and part inclosure on another common not far distant from this?—There was, at Matterdale, a common partly inclosed and partly regulated; that was about five years ago.

381. Was a provision for allotments made in that case?—There was.

382. What was the result?—The result was, that I instructed the Assistant Commissioner to ascertain what had been done in that case, and his report is that they have not been taken up or used for allotments at all.

383. None of them?—None of them.

Mr. *Walter James.*

384. Is it the case that the right of pasturage alone covers the rights of common?—The rights are alone rights of pasturage.

385. There is no right of turbury attaching; although these people cut turf there is no right?—I am not able to answer that question exactly, because the rights have not been inquired into at present.

386. Supposing these people have been in the habit of cutting turf and they have no legal right to it, if you had an award how would the claims of these people be considered?—They would be considered in making the award.

387. But if they had not a legal right where would they be?—They have power under the Act to bring the matter before the valuer. There would be no difficulty about it whatever.

388. For instance, Mr. Holliday said he had no legal right, and seemed to admit it, but he said he had been in the habit of cutting turf for years. His right would be considered by the valuer, you say?—It would be considered by the valuer.

Chairman.

389. I understand the Board is in the habit of giving of giving those instructions to the valuer?—Certainly, where they find it to be necessary.

390. And we have it in evidence here that the ordinary fuel in the neighbourhood for the poor is turf?—Yes.

Chairman—continued.

391. There is one question which ought to be asked to complete the matter which I am not certain was put explicitly to Mr. Buller. I understand, Mr. Buller, your view to be that the common rights over this common proposed to be enclosed are exactly the same as the rights which exist over the remainder of the common land in the township?—(Mr. *Buller.*) Yes.

392. So that such rights as have been exercised heretofore over this common will remain, and be available for persons over the remaining unenclosed common land?—Certainly.

The Committee-room was cleared.

After some time the parties were called in.

Chairman.] The Committee have considered the Report of the Board of Agriculture and the Provisional Order and the evidence, and they approve the Provisional Order without modification. The Committee wish me to say to Colonel Leach, as representing the Board of Agriculture, that they should not in ordinary cases consider the provision of six acres for allotments and field gardens, where there is so large an area as 500 acres to be enclosed, to be a proper proportion. They do not, however, think it necessary to recommend any modification of the Provisional Order in this instance because the evidence goes to show that provision now made is likely in the particular circumstances of this case to be sufficient, especially as in a similar case in the neighbourhood had allotments and field gardens have not been taken up. The Committee think that at Mungrisdale six acres will be sufficient, but they desire it to be understood that this is by no means the proportion they would generally approve. In most parts of England they would require that a larger provision should be made. I have also to say the Committee hope the Board of Agriculture will pay attention

tention to the setting out of roads or rights of way across this common, and that particular care should be given also to the determination of turbary rights, and the making of liberal provision for fuel for the poor.

Colonel *Leach.*] I may say that the same feeling which weighs upon the Committee with regard to allotments and field gardens weighed upon the Board. They would certainly have required a larger allotment to be laid out if they had found that there was any likelihood to be any necessity for it. I should like to make one other remark. Our experience now is that when cottages are built, gardens are attached to the cottages; and gardens attached to cottages are very much more valuable to cottagers than a garden at a distance.

Chairman.] That applies to a garden.

Colonel *Leach.*] A garden is much more valuable to a cottager when it is attached to his cottage than when it is part of an allotment garden. With regard to roads, as I have explained already to the Committee, the Board will certainly take very great care that sufficient roads are laid out, and they will also have due regard to the intimation of the Committee as to turbary rights.

Mr. *Jasper More.*] What will become of this land, suppose it is not taken up; who has the right of letting it?

Colonel *Leach.*] I am afraid it would remain very much in a state of waste. The overseers would probably let it.

Mr. *Jasper More.*] In the interests of these men one would like to know what would be the future of this land. Who would have the right of letting it.

Colonel *Leach.*] The allotment wardens, as provided for by the Inclosure Act.

REPORT

FROM THE

SELECT COMMITTEE

ON

COMMONS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

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SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON

COMPANIES ACT (1862) AMENDMENT BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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314.

COMPANIES ACT (1862) AMENDMENT BILL.

[*Thursday, 14th May* 1891] :—ORDER for Committee read, and discharged ; and Bill committed to a Select Committee.

[*Wednesday, 10th June* 1891] :—Committee nominated of—

Mr. Ambrose.
Mr. Brunner.
Sir Horace Davey.
Sir John Gorst.
Mr. Haldane.
Mr. Brodie Hoare.
Sir William Houldsworth.
Mr. Hoyle.
Sir Henry James.
Mr. Knox.
Mr. Maclean.
Sir Edward Reed.
Mr. Whitley.

Ordered,—THAT the Committee have power to send for Persons, Papers, and Records.

THAT Seven be the Quorum of the Committee.

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PROCEEDINGS OF THE COMMITTEE - - - - - - - - p. iv

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the COMPANIES ACT (1862) AMENDMENT BILL was referred;——HAVE agreed to the following SPECIAL REPORT:

THE Committee think it unadvisable to proceed further with the Bill at this period of the Session.

The Select Committee to whom the Companies Act (1862) Amendment Bill was referred, have agreed to Report the same, with Amendments.

3 *July* 1891.

PROCEEDINGS OF THE COMMITTEE.

Friday, 19*th June* 1891.

MEMBERS PRESENT:

Mr. Hoyle.	Sir Horace Davey.
Sir Edward Reed.	Mr. Maclean.
Sir Henry James.	Mr. Whitley.
Sir William Houldsworth.	Mr. Ambrose.
Sir John Gorst.	

Sir JOHN GORST was called to the Chair.

The Committee deliberated.

[Adjourned till Friday next, at Four o'clock.

Friday, 26*th June* 1891.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Maclean.	Mr. Brunner.
Mr. Brodie Hoare.	Sir Horace Davey.
Mr. Knox.	Mr. Haldane.
Sir William Houldsworth.	Mr. Ambrose.
Sir Edward Reed.	

Clause 1, *agreed to.*

Clause 2, amended, and *agreed to.*

Clause 3, *agreed to.*

Clause 4.—Amendment proposed, in line 12, to leave out the words "On the registration after the commencement of this Act"—(Sir *Horace Davey*).—Question put, That the word "On" stand part of the Clause.—The Committee divided:

Ayes, 4.	Noes, 4.
Mr. Ambrose.	Sir Horace Davey.
Mr. Brunner.	Mr. Brodie Hoare.
Mr. Haldane.	Mr. Maclean.
Sir William Houldsworth.	Sir Edward Reed.

Whereupon the *Chairman* declared himself with the *Ayes.*

Amendments made.

[Adjourned till Tuesday next, at Four o'clock.

Tuesday, 30*th June* 1891.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Mr. Maclean.
Mr. Brodie Hoare.
Mr. Ambrose.
Sir William Houldsworth.
Sir Henry James.
Sir Edward Reed.
Mr. Brunner.
Mr. Hoyle.
Mr. Haldane.
Mr. Whitley.
Sir Horace Davey.

Question put, That Clause 4, as amended, stand part of the Bill.—The Committee divided:

Ayes, 7.	Noes, 4.
Mr. Ambrose.	Sir Horace Davey.
Mr. Brunner.	Mr. Brodie Hoare.
Mr. Haldane.	Mr. Maclean.
Sir William Houldsworth.	Sir Edward Reed.
Mr. Hoyle.	
Sir Henry James.	
Mr. Whitley.	

Clause 5, *agreed to.*

Clause 6.—Amendments made.

Another Amendment proposed, after sub-section (h), to insert the following new sub-section: "Provided that such resolution shall not be passed until after not less than three-fourths of the shares into which the capital of the company is divided have been allotted"—(Sir *William Houldsworth*).

Amendment amended by leaving out the words, "into which the capital is divided," and inserting the words "offered for subscription."—Question, That the proposed new sub-section, as amended, be there inserted,—put, and *negatived.*

Other Amendments made.

Another Amendment proposed, in page 3, line 6, after the word "than," to insert the words "the number of shares stated in the prospectus issued by the company as the minimum subscription upon which the directors will proceed to allotment, or if no such amount be so stated, then"—(Sir *Horace Davey*).—Question, That those words be there inserted,—put, and *agreed to.*

[Adjourned till Friday next, at Four o'clock.

Friday, 3*rd July* 1891.

MEMBERS PRESENT:

Sir JOHN GORST in the Chair.

Sir William Houldsworth.
Mr. Brodie Hoare.
Mr. Whitley.
Mr. Brunner.
Mr. Maclean.
Mr. Hoyle.
Sir Horace Davey.

Motion made, and Question put, That the Committee think it unadvisable to proceed further with the Bill at this period of the Session—(Mr. *Maclean*).—The Committee divided:

Ayes, 5.	Noes, 2.
Mr. Brunner.	Sir William Houldsworth.
Sir Horace Davey.	Mr. Hoyle.
Mr. Brodie Hoare.	
Mr. Maclean.	
Mr. Whitley.	

Ordered, To Report the Bill, as amended.

DRAFT SPECIAL REPORT, proposed by Mr. *Maclean*, read the first time, as follows :—

"That the Committee think it unadvisable to proceed further with the Bill at this period of the Session."

DRAFT SPECIAL REPORT read a second time, and *agreed to*.

Question, That this Report be the Special Report of the Committee to the House,—put, and *agreed to*.

Ordered, To Report, together with Minutes of Proceedings.

SPECIAL REPORT

FROM THE

SELECT COMMITTEE

ON THE

COMPANIES ACT (1862) AMENDMENT BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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REPORT

FROM THE

SELECT COMMITTEE

ON

CORK (COUNTY AND CITY) COURT HOUSES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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283.

Cork (County and City) Court Houses Bill.

Ordered,—[*Wednesday*, 3*rd June* 1891]:—That the Cork (County and City) Court Houses Bill be read a second time, and committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

That all Petitions against the Bill presented Four clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

That the Committee have power to send for Persons, Papers, and Records.

That Three be the Quorum of the Committee.

Ordered,—[*Monday*, 8*th June* 1891]:—That Mr. Penrose Fitzgerald, Mr. Maurice Healy, Mr. Parnell, and Colonel Waring be nominated Members of the Select Committee on the Cork (County and City) Court Houses Bill, with Three Members to be added by the Committee of Selection.

Committee of Selection.

[*Tuesday*, 9*th June* 1891]:—The following Members are added to the Committee on Cork (County and City) Court Houses Bill:

Mr. Causton.
Mr. Parker Smith.
Mr. Wharton.

Committee to meet Thursday, 18th June, at Twelve o'clock, to choose Chairman and proceed with the Bill.

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REPORT.

THE SELECT COMMITTEE to whom the CORK (COUNTY AND CITY) COURT HOUSES BILL was referred; have examined the allegations of the Bill, and taken Evidence thereon; and have gone through the Bill, and made Amendments thereunto.

18*th June* 1891.

PROCEEDINGS OF THE COMMITTEE.

Thursday, 18*th June* 1891.

MEMBERS PRESENT:

Mr. Wharton.	Colonel Waring.
Mr. Penrose Fitzgerald.	Mr. Parker Smith.
Mr. Parnell.	Mr. Causton.

Mr. WHARTON was called to the Chair.

CORK (COUNTY AND CITY) COURT HOUSES BILL.

Mr. *Grieg* (of Messrs. *Holmes*) appeared as Agent for the Bill, and was heard in support of the Bill.

Mr. *Joseph Bullen Johnson*, Sir *George Colthurst*, Mr. *Thomas Flynn*, Mr. *David Horgan* and Mr. *Alexander M'Carthy*, were sworn, and examined.

Clause 1, *agreed to.*

Clause 2, amended, and *agreed to.*

Clause 3, *agreed to.*

Clause 4, amended, and *agreed to.*

Clauses 5—10, *agreed to.*

New Clause, "As to precepts for attendance of jurors," brought up, read a first and second time, and added to the Bill.

Ordered, To Report the Bill, as amended, to the House.

EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Thomas Flynn	Solicitor, Cork	Cork	4	8 8 –	5 16 –	14 4 –
Sir George Colthurst	Gentleman	Cork	4	4 4 –	5 16 –	10 – –
Alexander M'Carthy	Solicitor and Town Clerk, Cork.	Cork	4	8 8 –	5 16 –	14 4 –
Joseph Bullen Johnson	Assistant Secretary, Grand Jury, Cork.	Cork	4	4 4 –	5 16 –	10 – –
David Horgan	Mayor of Cork	Cork	4	4 4 –	5 16 –	10 – –
				TOTAL £.		58 8 –

REPORT

FROM THE

SELECT COMMITTEE

ON

CORK (COUNTY AND CITY) COURT HOUSES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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FROM THE

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ON

CORN SALES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
17 *July* 1891.

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Ordered,—[*Wednesday*, 17*th June* 1891]:—THAT a Select Committee be appointed to inquire and report upon the various weights and measures used for the sale of Grain throughout the United Kingdom; the desirability of selling Grain by weight only or by measure and weight, and, in the event of either being considered desirable, the extent to which either might be enforced; the desirability of the adoption of a uniform weight, either for the United Kingdom or any part of it; if a uniform weight is desirable, the standard to be adopted, and whether there should be one standard for all kinds of Grain; and, if not, what should be the standard for each kind.

Committee nominated—[*Wednesday*, 1*st July* 1891]—of—

Sir Edward Birkbeck.	Mr. Lewis.
Mr. Esslemont.	Mr. Maguire.
Colonel Eyre.	Mr. Rankin.
Mr. Farquharson.	Mr. Halley Stewart.
Mr. Leveson Gower.	Mr. Mark Stewart.
Mr. Gray.	Mr. Jasper More.
Mr. Seale-Hayne.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to inquire and report upon the various WEIGHTS and MEASURES used for the sale of GRAIN throughout the UNITED KINGDOM; the desirability of selling GRAIN by weight only or by measure and weight, and, in the event of either being considered desirable, the extent to which either might be enforced; the desirability of the adoption of a uniform weight, either for the UNITED KINGDOM or any part of it; if a uniform weight is desirable, the STANDARD to be adopted, and whether there should be one STANDARD for all kinds of GRAIN; and, if not, what should be the STANDARD for each kind:——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

YOUR Committee have examined one witness on the subject referred to them, but find that at this late period of the Session it is not in their power to conclude their inquiry. They have therefore agreed to report the Evidence already taken to the House, and to recommend that a Committee on the same subject be appointed in the next Session of Parliament.

17 *July* 1891.

PROCEEDINGS OF THE COMMITTEE.

Monday, 6th July 1891.

MEMBERS PRESENT:

Mr. Jasper More.	Sir Edward Birkbeck.
Colonel Eyre.	Mr. Farquharson.
Mr. Seale-Hayne.	Mr. Mark Stewart.
Mr. Leveson Gower.	Mr. Maguire.

Mr. JASPER MORE was called to the Chair.

The Committee deliberated.

[Adjourned till Friday, 17th July, at Twelve o'clock.

Friday, 17th July 1891.

MEMBERS PRESENT:

Mr. JASPER MORE in the Chair.

Sir Edward Birkbeck.	Mr. Lewis.
Mr. Leveson Gower.	Mr. Maguire.
Mr. Seale-Hayne.	Mr. Mark Stewart.
Mr. Farquharson.	

Mr. *H. J. Chaney* was examined.

The Committee deliberated.

DRAFT REPORT, proposed by the *Chairman*, read the first time, as follows:—

"Your Committee have examined one witness on the subject referred to them, but find that at this late period of the Session it is not in their power to conclude their inquiry. They have therefore agreed to report the Evidence already taken to the House, and to recommend that a Committee on the same subject be appointed in the next Session of Parliament."

DRAFT REPORT read a second time, and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

MINUTES OF EVIDENCE.

Friday, 17*th July* 1891.

MEMBERS PRESENT:

Sir Edward Birkbeck.
Mr. Farquharson.
Mr. Leveson Gower.
Mr. Seale-Hayne.
Mr. Lewis.
Mr. Maguire.
Mr. Jasper More.
Mr. Mark Stewart.

MR. JASPER MORE, IN THE CHAIR.

Mr. H. J. CHANEY, called in; and Examined.

Chairman.

1. YOU are Superintendent of the Standards Department of the Board of Trade?—Yes.

2. Will you give us a short account of the early English provisions with respect to uniformity of weights and measures?—There is an intimate connection between wheat and the ancient standards from which our present standards are derived. For instance, the standard of capacity of the bushel of Henry the Third, which was legalised in 1266, was declared to be equivalent to eight gallons, each gallon being equal to 8 lbs. of wheat. Even the 1 *d.* sterling of that period was required to be equal to 32 wheat corns from the midst of the ear. There are similar definitions in Tractatus de Ponderibus et Mensuris, 1313, and in 1325 King Edward the Second ordained that three barley corns, round and dried, should make one inch. In 1496 a new standard bushel was made, also containing eight gallons, each of 8 lbs. troy of wheat. It is through these standards that the present standards have been derived. There are many other instances in which our system of weights and measures is connected with corn, but it is unnecessary to reproduce them. I mention these instances to show the early attempts made to define standards with reference to natural constants, and I beg to hand in a memorandum on Winchester and heaped measure as derived from these ancient standards.

3. Coming to the question of legislation, is any reference made to the question of uniformity in Magna Charta?—Quite briefly; it was required that there should be one weight and one measure throughout the length of the land; the particular weight or measure being defined.

4. With respect to Scotland, was there any provision made on the subject in the Act of Union?—Yes; by the Act of Union, 1706, the English standards of weights and measures were required to be used in Scotland.

Chairman—continued.

5. Before that the old Scotch standards only were in use?—Yes.

6. Was there any reference to it in the Act of Union with Ireland?—No reference was made to the English standards by the Act of Union with Ireland, but the English standards were generally in use in Ireland so early as 1495.

7. But afterwards were there legislative attempts to ensure uniformity in Ireland?—Several Irish Acts of Parliament were passed with the view of bringing about uniformity of weights and measures in Ireland; but the principal Acts to which I invite the attention of the Committee are the Acts of 4th Anne, 1705, and the 7th Geo. 3, c. 15. The 4th of Anne required in Ireland all meal and flour to be sold by weight only, and that Act was extended in 1733 by the 7th Geo. 3, c. 15, to all corn, requiring all corn to be sold by weight. The unit of weight then adopted, and which was largely followed in Ireland, was 40 stone to a quarter of wheat, and 22 stone to a quarter of oats. Since that period there has been no further legislation in that direction in Ireland.

8. Has the effect of legislation in Ireland been to produce greater uniformity in Ireland than in Scotland and England?—That appears to be shown by some Papers which have been handed in by me to the Committee. The practice in Ireland is largely to sell by weight only.

9. I think the Irish Returns are not included in the papers sent to me?—No; they are voluminous, and I have only handed in a summary of them; but I am prepared to hand in the whole Returns if desired.

Chairman—continued.

10. What was the effect of those Irish Acts of Parliament on uniformity in Ireland?—Ninety-seven per cent. of wheat may be said to be sold by weight, or by measured weight; 94 per cent. of barley by weight or measured weight; 97 per cent. of oats by weight or measured weight.

11. What has been the general result in Scotland since the Act of Union?—I am unable to trace any effect of the Act of Union with regard to the measurement of corn; it had at once the effect of legally abolishing the use of the old Scotch standards in Scotland, and from that time the English standards were used; but it is a question whether practically for some years there was not rather greater diversity than before; as practically the old Scotch system continued to be largely in use for many years after the Act of Union.

12. You find weights and measures still very variable in Scotland?—I think on the whole there is a larger number of units in force in Scotland than there is in England, owing to the fact that the old Scotch standards are still occasionally referred to.

13. What previous inquiries have there been on this subject in England?—There has been no exhaustive inquiry on this matter since the Report of the Select Committee of 1834. Incidentally some attention was called to the question by the Select Committee on Weights and Measures in 1862. Since that period there have been various Bills brought in for promoting uniformity of weight in the sale of corn.

14. The first of them being in 1882?—There have been Bills brought in in 1882, 1883, 1884, and up to the present year.

15. What was the effect of the Corn Returns Act of 1882?—On this the Commercial Department could speak authoritatively; I believe that. The Corns Returns Act of 1882 for the first time introduced some amount of uniformity in the sale of corn, but that was only for statistical purposes, the trade at large not being reached by that Act. The Corns Returns Act of 1882 required a fixed and arbitrary weight per bushel; it required for statistical purposes that wheat should be sold at 60 lbs. to the bushel; barley at 50 lbs. and oats at 39 lbs.

16. That was chiefly with reference to the tithe question, was not it?—I am unable to answer that.

17. The conversion of the different weights into bushels for tithe purposes does not come under the cognisance of your special department?—No; the local units are converted, I believe, by the market officers and not afterwards altered by the Board of Trade.

18. That inconvenience has not to be undergone in Scotland, where the tithe is calculated on a different principle?—No; but there is another inconvenience in Scotland in the quinquennial estimation of fair prices by the sheriffs and juries of counties where they have to convert old Scotch measures into Imperial measures.

19. Would you tell us shortly what is the state of uniformity or the reverse in the United States of America?—In the United States of America there has been much activity among the various legislatures. There is no public general statute

Chairman—continued.

applying to the whole of the United States, and each state and territory makes its own laws with regard to the sale of corn. For instance, in 34 of the states and territories where laws have been made, 31 out of those 34 states have required a uniform weight of 60 lbs. to the bushel, that is 60 lbs. to the Winchester bushel, equivalent to 62 lbs. to the Imperial bushel. In 27 States out of the 34 oats are required by the enactments of the States to be sold at a given weight of 56 lbs. to the bushel, and the same with other grain; but on this point I beg to hand in a detailed statement.

20. Will you tell us shortly what is the practice on the Continent, in Germany and France?—In Germany and France the sale of corn is very similar to what it is in this country. From the Normal Aichungs Kommission at Berlin, and also from the Consul General here, I have received information that the custom of the locality governs the practice, and that the farmer, peasants, and landed proprietors sell nearly always by measure in Germany and Austro-Hungary, but dealers sell by weight. The practice is very similar to what it is in this country; there is no strong disposition to introduce sale by weight in Germany. The practice in France is very similar to what it is in this country, and they sell by measured weight.

21. What is the practice in Russia?—I am informed by the Standards Office at St. Petersburgh, and the Consul General of Russia, that there are no legislative enactments in Russia requiring corn to be sold by weight, but for all wholesale purposes it is sold by weight; while for retail purposes it is sold by the tchetvert, a measure of capacity in Russia equal nearly to our bushel.

22. With respect to England, are you aware whether the number of bushels is as great as it was found to be before the Committee of 1862; are there numerous bushels now in use?—Undoubtedly there is greater uniformity now than in 1862. The object of the legislature in passing the Acts of 1878 and 1889 was to obtain greater uniformity in weights and measures.

23. Has that had much effect?—Undoubtedly.

24. It is stated in the Report of the Committee of 1862 that there were 60 different bushels for wheat, 16 for barley, and 12 for oats; you think the number has considerably diminished since that time?—Yes; I think that statement by the Committee of 1862 to some might be misleading, it does not mean that there were actually in use 60, or 16, or 12 different sorts of measures; there would be but one measure, the Imperial standard bushel; that is, there would be but one material standard; there would not be in use 60 or 16 different material standards of the bushel. The confusion arose through taking the natural weight per bushel of the corn grown in the district, instead of the Imperial standard measure.

25. Do you find that those Imperial measures which were legalised by the Corn Returns Act of 1882 are generally known?—No; out of nearly 1,500 inspectors in communication with the Standards Department, I have only found three or four who know the Corns Returns Act, which appears to me to show how

Chairman—continued.

how little its existence has been hitherto known generally outside the markets.

26. If they did not know what the measures were which were legalised by that Act, much less would the public know?—Possibly so.

Mr. *Farquharson.*

27. You are speaking of inspectors of weights and measures?—Yes.

28. What are their duties?—They inspect and verify weights and measures; not only do they do indoor verification work, but they travel all over the country and go to shops, and so on.

Chairman.

29. What is your opinion with regard to the relative benefit to the public of sale by weight and sale by measure?—Speaking generally, but with no desire in any way to suggest legislation, as my own individual opinion, and not the opinion of my department, I think there can be no doubt that weight is better than measure.

30. Does that equally apply to the wholesale and the retail trade?—To the wholesale trade undoubtedly, but with regard to the retail trade it becomes a question, as a matter of policy, how far it might be desirable to say that sales should be by weight.

31. Are you clearly of opinion that it would be better for wholesale dealings?—Yes, individually.

32. Supposing a uniform weight to be legalised, are you prepared to express any opinion as between the hundredweight and the cental?—I do not know whether the Committee desire me to offer any reasons for the opinion, but on the whole I would suggest whether the hundredweight might not be better than the cental for the country at large.

33. The cental was legalised in 1879?—The cental was legalised by an Order in Council in 1879.

34. Has it been largely used in consequence of that order?—It has not been largely used. I find that the cental is only used in Birmingham, Bristol, Bucks, Carlisle, Cornwall, Dumfriesshire, Exeter, Glasgow, Hull, Liverpool, Manchester, Norwich, Oxfordshire, Radnorshire, and the West Riding of Yorkshire.

35. You do not mean that it is exclusively used in those places; it is used as one weight amongst many?—It is only exclusively used in Liverpool. It is very largely used in Cheshire, though the returns have not stated so. In the other districts named it is not much used.

36. How is it that it is so largely used in Liverpool?—All American corn is imported by weight, and the unit of weight is the cental.

37. That is as between America and England?—Yes.

38. Is the cental more generally used in Canada than in America?—Yes, but the Commissioner of Inland Revenue at Ottawa has told me that he had a difficulty in bringing traders to appreciate the use of the cental. It was introduced in 1871 into Canada, but even in 1874 it was hardly recognised, and even now it cannot be said to be generally adopted in Canada.

Chairman—continued.

39. Is the cental used chiefly in dealing with corn imported from America or is it used much in America?—In America the cental is not much used in internal trade.

40. Only for the trade with England?—Mainly for that.

41. By what weight are the main imports of food that come to this country weighed?—I cannot speak well to anything outside grain.

42. You are not aware that most of the imports of food to this country are dealt with by the hundredweight?—No.

43. Will you put in the summary of the returns you have received from your inspectors of weights and measures as to the sale of corn. (*The same were handed in, and also an analysis of the summary.*)

44. Have you any remark to make upon those returns?—I would invite the attention of the Committee to the difficulty of making a return of this kind. It is almost a matter of opinion I find with local officers as to what is the meaning of weight and what is the meaning of measure. I think that difficulty may also have arisen when the Corn (Measures and Weights) Returns were made in 1879 and 1870. Hardly two officers agree as to what is weight, and what is measure. In a sale by the bushel, for instance, the bushel is merely the unit of measure; the bushel is filled and its weight determined, and the remainder of the corn is more often than not delivered by weight. Some officers regard that as a sale by weight, other officers regard it as a sale by measure, and in the preparation of the returns there is that difficulty to deal with, for which reason we have introduced the term "measured weight," which means that the corn is sold by the "bushel" or "quarter" of a fixed weight. I would suggest that it would be desirable in the present returns to separate the three kingdoms, if the Committee would afford me an opportunity of doing so. I would also suggest, with regard to Ireland, that we might add to the information we have given, as we have given only a summary of the returns. The Irish returns almost agree throughout in being by weight only, but the Committee could have the complete returns laid before them if they desired it.

45. If you give the results that is sufficient; have you any remarks to make on the summary?—I do not think I have any particular remark to make with regard to this summary.

46. Have you any remarks to make on the scientific method of measuring corn alluded to by Mr. Roberts, a member of the Royal Society, who points out how the weight of a bushel may vary according to the method of filling it?—With regard to Mr. Roberts's experiments as to the pressure of grain, I laid that Paper before the Committee because the experiments were perhaps novel, and showed what different results were obtained according to the different ways of filling a bin or vessel with corn. Mr. Roberts's experiments went to show what was the pressure of the grain at the bottom of the bin or vessel. For instance, if the bin or vessel holds 200 lbs.

Chairman—continued.

of corn, that does not mean that there is a pressure of 200 lbs. on the bottom of the bin or vessel; practically the pressure was found to be 42 lbs. Mr. Roberts's experiments go to show what is the pressure in every direction, vertically and laterally, when loading a bin or vessel with corn. With further reference to the mode of measuring corn it may be taken from experiments recently made at the Standards Office that the maximum probable error of measurement, without resorting to fraudulent practices, is 16 per cent., the maximum probable error of weighing, without resorting to fraudulent practices, may be taken at 6 per cent. In measuring, of course one of the greatest difficulties is that of filling the measure, and since the time of Henry the Third, all kinds of statutes have been passed dealing with that matter. In some of the statutes the penalties were very severe, particularly in one passed in the reign of Charles the Second. A difference of 13 per cent. may be made, and is very commonly made by the retail trader, according to the way the bushel is filled and shaken. If the corn is merely thrown lightly into the bushel and then struck with a flat strike, that gives the least possible quantity that can be got into the bushel; but if the corn is thrown in from a high hopper, at a height of nearly 2 ft. 6 in. above the measure, and is then struck with a round strike, and shaken down, we have the maximum quantity that can be got into the bushel. Between those two extremes there are many measures. With regard to weight, one of the main difficulties is the quantity of moisture contained in the grain. According to Mr. Wilson's recent experiments the error from moisture, from the ordinary moisture of the air, without artificial drying, may not exceed 6 per cent. Therefore there would seem to be less probability of error arising in weighing than in measuring. As a rule it would take twice the time to weigh that it does to measure, and of course this is an objection to weighing, and an important objection. Some attempt has been made to get over that objection by using a little instrument called a chondrometer, by which a small quantity of corn (half a-pint) is weighed and compared with a table or scale from which the farmer calculates the weight per quarter. Such little instruments are misleading and practically they have fallen out of use. In Germany, however, the chondrometer is more used, but there the chondrometer is required to contain not less than a litre, and from that the farmer calculates the hectolitre weight of corn. Canada also requires the chondrometer to contain not less than a quart.

47. You spoke just now of the use of a hopper; will you describe what a hopper is?—The hopper is a kind of funnel used for filling measures. The grain to be measured is passed through this funnel into the bushel measure placed underneath. In filling the measure much depends upon the height at which the corn is allowed to fall. The retail traders as a rule take care to put the corn in as lightly as possible and with the least fall; there is in some districts much trickery carried on in measuring corn. The hopper is intended to overcome the difficulty as to filling the measures,

Chairman—continued.

and in the City of London, for instance, corn for the purposes of th city is measured through a hopper of a certain shape. In the City of Edinburgh market corn is measured also by a hopper. In this country there is no proper regulation as to the form of the hopper, or as to the height at which the corn should fall from the hopper into the measuring vessel underneath, and, therefore, misunderstanding arises. In Germany a law requires that the measure into which the corn is to be passed shall be placed six inches under the hopper. I beg to hand in a memorandum as to forms of hoppers and chondrometers.

48. Hoppers are not very generally used throughout the kingdom?—No.

49. Are they expensive?—They are not expensive, but in the hurry of trade, people find it more convenient to throw the grain into the measure with a shovel.

50. In what parts of England and Scotland do you find the greatest tendency to use measures?—On the eastern coast.

51. In both Scotland and England?—I think so.

52. Speaking generally, are you of opinion that if it was possible to carry out the system of sale by weight it would be most to the interest of the public?—I am afraid I must ask the Committee to allow me not to give an answer to that question, for it involves so many considerations.

53. Do you think that uniformity could be carried out if it was desirable, without compulsion of some sort?—Undoubtedly not, there must be compulsion of some sort.

54. I suppose you would not wish to express any opinion as to how uniformity of weight or measure, if desirable, could be carried out?—If the Legislature required all corn to be sold by weight, then this would follow: local officers, as inspectors of weights and measures would require to see that the law was carried out properly; with a view of seeing that it was carried out properly they would have to make visits to shops and to farmers' premises, and they would have to take proceedings in any case where corn was not sold by weight or was sold contrary to the statute.

Sir *Edward Birkbeck.*

55. You say they would have to visit farmers' premises?—Only where trade was carried on; an inspector would have no right to visit a farmer as such, but suppose a farmer trades in corn on his farm by weight or measure, then the law may require the inspector to visit the farmer's premises to see that his weights and scales are right.

Mr. *Farquharson.*

56. If corn had to be sold retail by weight it would have to be sold wholesale by weight, the retail tradesman if he had to sell by weight would only buy by weight?—I do not think that would follow according to practice, there is a wide

Mr. *Farquharson*—continued.

a wide difference in practice between retail and wholesale dealings.

Chairman.

57. Is there any other remark you wish to make on the subject?—There is an analogous practice with regard to the sale of other things. I may mention that I am informed that the practice in India is to sell both by weight and measure, and at present there is no law in India dealing with the sale of corn.

58. I do not think we need go into all those other things; but as regards coal, by the Weights and Measures Act of 1889, coal is required to be sold by weight?—Yes.

59. How is flour sold?—By weight wholesale.

60. In this country how is it sold?—Retailed by weight.

61. And bread?—Bread is required by law to be sold by weight, and, with the exception of fancy bread, so-called, it is sold by weight.

Mr. *Farquharson.*

62. You do not know the maximum of error owing to moisture in the sale of a loaf of bread?—No; but I could ascertain.

Sir *Edward Birkbeck.*

63. You have put before the Committee a summary of special returns from clerks of county councils, chief constables of police, and inspectors of weights and measures throughout the United Kingdom; how have those returns been obtained; has there been a demand made for those returns?—Yes, a semi-official demand made to inspectors of weights and measures, some of whom hold other local offices.

64. There are returns from 31 towns in England and Wales where barley is sold by measure. Were those principally on the east coast?—My recollection is that they were mainly in the east and north-eastern districts.

65. At page 19 of the summary returns from inspectors of weights and measures as to the sale of corn, against "Norfolk," under the head of "barley," there is the entry that it is sold by measured weight, 16 stone. Are you aware that barley is sold in Norfolk for malting purposes entirely by measure, and that the only barley is sold by weight is the poorer barley that is sold for grinding purposes?—I am aware that it is sold by measure for malting purposes, and the inspector so stated; but we have not put that in this return, as it did not deal with malt; the unit is taken according to the Inland Revenue value of a bushel of malt, which is 42 lbs.

66. Is not this return rather misleading, because it would appear as if barley in Norfolk is sold by weight when it is not so?—It is stated that it is sold by measured weight.

67. When, in fact, it is sold not by weight?—I can only give the information as it has reached me. I have no doubt the inspector made careful inquiry in the whole district before he made his return.

68. My attention is called to this note, as regards Norfolk, in the last column; one return states, "measure may be said to have

Sir *Edward Birkbeck*—continued.

gone out altogether, or nearly so, for sale of corn"; that means barley entirely, does not it?—I am not sure. I should like to put that question to the inspector, because in some districts I find that "by corn" they mean wheat only.

69. I find against "Ipswich," under the heading "barley," you have the entry "four bushels to the coomb"; I do not see any entry for Suffolk?—West Suffolk has been put in since the return was printed. I have added "West Suffolk, wheat by measure, barley by measure, oats by measure, quality determined by weight."

70. If you find that it is the fact as regards Norfolk that barley is sold almost entirely by measure, can you see your way to correct this return, or make further inquiries?—We will of course make further inquiries; but I should doubt whether the return is incorrect. As I ventured to suggest a little while since, it is difficult to get correct information upon this point, where it is stated, as in the West Suffolk case, that corn is sold by measure; I have not the least doubt that it is sold also by weight. I cannot think that any farmer or dealer would buy a bushel of barley without inquiring what the weight or quality was, and in that case it would be a sale by measured weight and not a sale by measure. I believe that is the view the officers generally have taken in sending up returns; but if there is any doubt about the matter, we can, before the next meeting of the Committee, particularly with regard to Norfolk and Suffolk, ask for more extended information on the point if so approved.

71. How can weight be any criterion of value, when barley weighing 56 lbs. may be worth only 24 *s.* a quarter, and another sample which weighs but 53 lbs. might be worth, for malting purposes, 10 *s.* per quarter more?—Weight alone is not sufficient, both must be taken together; there is always the difficulty of combining a quantitative test with a qualitative test. When we speak of value that is the qualitative test; when we combine weight with measure for ascertaining the price of a bushel, that is the qualitative test; when we speak of weighing corn for sale that is quantitative; a ton of corn is a quantitative expression; but when we speak of a bushel of 60 lbs. of wheat that is a qualitative expression. It is from that confusion of terms that difficulty has arisen in the sale of corn; there is no other commodity in which so much difficulty has arisen. Take the sale of gold, which is rather an extreme case, but still so far an analogous one, gold is sold by the ounce; a purchaser, if he wishes to know the quality of it asks whether it is 18 carat gold; but no difficulty has arisen in the case of gold, because there has been no confusion between the quantitative and the qualitative expressions.

72. When corn is sold by weight a sack of four bushels is supposed to weigh, as far as wheat is concerned, 63 lbs.?—That is not so; the practice varies considerably. Under the Corns Return Act the unit of wheat is, I think, 60 lbs.

73. As regards barley, what is it?—50 lbs.

74. And as regards oats?—39 lbs.

75. What is the standard weight for the corn averages, and are the returns of all grain in markets where the weight is given reduced to

Sir *Edward Birkbeck*—continued.

that standard?—For corn averages, so far as I can speak, the values are as stated in the Corns Returns Act, 1882, and all weights and measures are reduced to those averages.

Chairman.

76. You are not in a position to say whether they actually are, you only mean they ought to be reduced to those averages?—It is, I believe, the duty of the local officers to do so; and we may assume they do it.

Sir *Edward Birkbeck.*

77. How do the inspectors of corn markets ascertain when corn is sold by weight and when it is sold by measure?—I believe their knowledge is derived from their market sale books; but for the purpose of converting equivalents they have to rely upon the verbal information of the farmers or dealers.

78. Are your inspectors present during the market hours in all the principal corn halls?—The inspectors of markets are, I believe, required, by the regulations under which the markets are held, to be present, but Mr. Bateman would speak authoritatively as to this. As a rule there is an officer called the clerk of the market, and he, *ex officio*, I assume, is inspector of corn returns. Those officers are not the officers who furnished the information for the return which I have handed in. The inspectors of markets have nothing to do with the inspectors of weights and measures.

79. Do your inspectors of weights and measures from time to time attend the markets?—Yes.

Chairman.

80. You said that the inspector got his information from the farmers; it is the dealers who supply the information, not the farmers?—Yes.

81. If the farmers would supply the return, it would give more satisfaction, but as a matter of fact they have never been induced to do so?—The Agricultural Department could speak as to this.

Sir *Edward Birkbeck.*

82. If the hundredweight is adopted all the present sacks in use, at all events as far as oats are concerned, would be useless, would they not?—Many of them would.

83. The majority of them?—I think not; the majority of sacks in use contain three to four bushels.

84. You are aware that many farmers sel direct to the millers and not at markets?—Yes.

85. Then in case it was enacted that corn was to be entirely sold by weight, every farmer would have to provide himself with the necessary scales?—He would.

86. And even in the case of an allotment holder, say an allotment holder of one acre, a cottager who grew entirely, say, wheat, or oats, he would have to provide scales?—Yes, he would, or have to obtain the use of them.

87. He might have to go a mile to borrow some?—He might have to go a mile, or he might borrow them next door.

Sir *Edward Birkbeck*—continued.

88. You do not think that would put small farmers and allotment holders to great inconvenience?—I think not. I should mention that farmers may be traders; under the Weights and Measures Act of 1878 trade has been defined, and within that legal definition a farmer who sells corn or wool, or any other commodity, by weight or measure is, I believe, a trader within the meaning of the Act. If he sells by weight or measure he may be required to have a stamped weighing instrument, and as a matter of fact most of the small farmers have weighing instruments.

89. Have you had any reports from your inspectors as regards the question of the sale of barley by weight, from the leading barley-growing counties in England?—No other returns than those furnished to the Committee.

90. But have you had any reports as regards farmers being averse to selling barley, by weight from the principal barley-growing counties?—Yes, we have.

91. To a considerable extent?—Not to a considerable extent; but there has been a strong expression of opinion from Mid-Lothian upon that point.

92. And from the eastern counties?—No.

93. You have had no reports from your inspectors in the eastern counties?—Not beyond those handed in; I have added a little to these reports.

Mr. *Leveson Gower.*

94. Do you consider that there would be any public advantage in an amalgamation of the services of the inspectors of markets and the inspectors of weights and measures?—I think not, but it is a question which might be submitted to the Board of Trade. The inspector of markets, as a rule, is the clerk of the market; he is a man of a different stamp from the inspector of weights and measures; a man whose training is of a less technical nature. All inspectors of weights and measures, for instance, are required to pass an examination, and they are rather a different class of men, doing different duties from the clerks of markets, and I think difficulty would be found by a local authority in combining the two. That is my own opinion.

95. Have you any experience of the regulation in continental countries with regard to the sale of corn, or the compulsory use of one standard of measure?—I have, of course, no personal experience on the Continent in this matter, beyond the information which I have obtained in answer to the questions I have put to colleagues at Berlin, St. Petersburgh, and elsewhere.

96. Are you aware whether in France one standard for the sale of corn is by law compulsory over the whole country?—There is no one compulsory standard.

97. And there is, as a matter of fact, a good deal of variation, is there not?—Almost as much as in this country.

98. I see that in one or two places you have used the expression "measured weight"; I presume that means that the corn, or whatever the substance may be, is first measured and then weighed?

Mr. *Leveson Gower*—continued.

weighed?—That is so; it means that the bushel of corn is first measured and then weighed; but it does not mean that so large a quantity as a "quarter" of corn is generally weighed.

Mr. *Maguire.*

99. Is the account given in your returns of measured weight in Aberdeenshire an accurate account of what generally happens?—That account has been prepared with care. The inspection of weights and measures in Aberdeenshire (exclusive of the city of Aberdeen) is under the police, and the chief constable of Aberdeenshire, Captain Ross, has himself a large acquaintance with this particular question.

100. It is rather more detailed than most of the other returns, but may it be taken as a pretty accurate description of the process of measured weight, as the same term is used lower down without being explained?—Yes. I would point out that the "notes" in the returns appended are by the inspectors. In the return which I have put in to-day I have added the words, "Notes by inspectors," as they are not the notes of the Standards Department, and in cases where no notes are given it is only because the inspectors have not given notes.

101. But if one wished to have an account of the process of measured weight, you think that this may fairly be taken as accurate?—I think so, for the whole of Scotland.

102. Would you feel able to give an account of the process as it applies to England?—Quite. There is a note in the summary which indicates the practice in England, a somewhat similar note to that which is attached to the Aberdeenshire return, and the practice is much the same in England as in Scotland. The bushel of corn is measured in a certain way, or in a more or less uncertain way, and then it is weighed. Then the corn is subsequently delivered. There is only one weighing, even if a hundred bushels have to be delivered: one bushel would be weighed, and the contract would be upon the basis of that bushel. The practice in England is much the same as in Aberdeenshire.

103. Did I correctly understand you to say that you could not imagine corn being sold by measure solely, and that the purchaser must take into account the weight of the corn?—Yes; that opinion is based on information which I have received as to the practice from abroad as well as from this country.

104. I understood you to say that you compared the case of corn with the case of gold; do you mean by that that you think there ought to be a standard taken of so many pounds to the bushel; just as you have a standard of so many carats for gold?—I do not. There is no standard for gold other than the standard as to carats.

105. Fine gold is considered to be 22 carats?—No, 24 carats, or pure gold; but the term fine is occasionally applied to 22 carats. I did not intend to compare gold and corn so far.

106. You do not think that would be possible?—I think not. We have difficulty in the sale of grain, owing to natural weight coming in. The natural weight will vary in almost every field, and I submit that we could not conveniently hit out,

Mr. *Maguire*—continued.

so to speak, any one unit of weight; we should want many units to meet the circumstances of the whole kingdom. With regard to gold, that difficulty does not arise. We can say that there shall be only two standards for silver, and those two standards meet the convenience of most; in the same way there are five standards for gold, and those five standards, 22, 20, 18, 15, 12, and 9 carats, meet the convenience of every one. But with regard to corn we could not say that there shall be a definite weight per bushel, except for statistical purposes. When we come to deal with the ordinary retail transactions of every-day life, which repeat themselves in an unknown ratio throughout the country, we should have great difficulty in saying that the bushel shall weigh 60 lbs., for instance, and nothing else. We can separate the measure from the weight, and if legislation is to take place, we must leave people to buy by weight, and by what weight they please.

Chairman.

107. Should you consider it possible to abolish the bushel altogether?—I think so, for grain, in my own individual opinion merely.

Mr. *Maguire.*

108. Then your own individual opinion is in favour of weights only as opposed to measured weights?—It is.

109. With regard to this chondrometer, a diagram of which you have handed in, the description of the instrument itself is very clear, but there is no description of the way in which it is used: would you explain to the Committee how it is used?—I should be glad if the Committee would allow me to expand that paper a little. Generally, I may say that the funnel there shown is not a hopper, and is not to be confused with a hopper; it is a little cup which holds a definite quantity. In this country the quantity is only about half a pint, of barley or wheat; abroad, the cup is required to hold a larger quantity, a litre; in Canada it is required to hold a quart. This cup is suspended at the end of the long arm of a steelyard, and on the short arm of the beam there are various figures and marks cut. The corn is emptied into the cup, and if the weight per cup is of a certain figure, then the weight per bushel will be shown on the scale marked on the long arm of the steelyard. It is an arbitrary arrangement, and, as I pointed out, is not much followed in this country, because it is quite as easy for a farmer to determine the quality of the corn by taking it up in his hand and judging the weight, by his experience, as it is to use a chondrometer.

110. Then you do not think much of the chondrometer?—No, I think it misleading.

111. With regard to this paper of Mr. Roberts, is one to understand that to mean, that if a measure is placed upon a weighing scale, and if it is beyond a certain height, it does not affect the weights on the scale?—No, it does not quite mean that. It only means that the granular

Mr. *Maguire*—continued.

pressure on the bottom of the inside of the bin or measure is less than the actual weight of the corn within the measure.

112. It does not accurately give the weight if the measure is extended beyond a certain height?—No, it deals with one of the inconveniences of weighing to which I thought the Committee might like to have their attention invited.

113. In this paper Ireland is not included; are not the Irish returns made in the same way?—Yes, I have here the Irish returns, which are made in precisely the same way as those for England. The returns are all alike. Owing to the operation of the ancient Acts in Ireland there appears to be greater uniformity, and therefore we did not make the analysis of the returns in the same way; but if the Committee will allow me, I will include Ireland in the analysis which I hand in.

Chairman.] Certainly; it is most important.

Mr. *Maguire.*

114. But practically there all corn is sold by weight, is it not?—That is practically so.

Chairman.

115. Retail as well as wholesale?—Yes.

Mr. *Maguire.*

116. Are you aware how flour and meal are sold in Ireland?—Largely by weight, but partly by measure.

117. By measure in retail or wholesale?—In retail, but by weight always by the barrel. The barrel is merely the name of the vessel in which the flour is put up. It is a barrel of so many stones. A stone of 14 lbs. is the unit of weight in Ireland, throughout the whole of the country, both for wholesale and retail purposes.

118. And the barrel of 8 stone?—The barrel of wheat in all the counties appears to be 20 stones; the barrel of flour varies.

Mr. *Seale-Hayne.*

119. I see that in your summary returns from the inspectors of weights and measures you have various returns from the county of Devon, divided into a number of districts; and I see that it is stated that wheat is usually, with one exception, sold by measured weight, but that the measured weight is different, being in some cases 62 lbs. to the bushel, and in another case 62½ lbs. to the bushel; and then, if you go to barley, you will also find instances of 56 lbs. to the bushel, and other instances of 50 lbs. to the bushel, and one instance of 48 lbs. to the bushel. The same thing appears in the column of oats. In one case the weight is 38 lbs. to the bushel, in another case 38 lbs., in another case 40 lbs., and in another 95 lbs. to the two bushels and a-half, which is only 38 lbs. to the bushel; showing a very considerable diversity of practice in that county; are you able to tell me whether those diversities of practice have given rise to complaints

Mr. *Seale-Hayne*—continued.

there?—No; without making special inquiry from the local officers, with the approval of the Board of Trade, I could not answer the question. So far as to whether inconvenience or complaint has arisen I may inform the Committee that I have in some instances asked the local inspectors of weights and measures the question, "Have you had any complaints as to the present system?" and generally the answer has been, "We have had no complaints as to the present system." I have not stated that in the summary because I did not know that the Committee wished to have that information. From that general remark Scotland might perhaps be excepted. In Scotland there had been complaints as to giving incorrect measure; the regulations of the markets in Scotland are precise and therefore those complaints have been raised in Scotland. I beg to hand in to the Committee a form of complaint which is made to the depute clerk of Edinburgh when a farmer gives unjust weight or measure.

Mr. *Mark Stewart.*

120. Is the use of unjust weights more common in Scotland, than elsewhere?—No, I think not; but in Scotland, perhaps, they are more alive to accuracy of weighing, and therefore proceedings follow more frequently.

Mr. *Seale-Hayne.*

121. In regard to these statistics from Devonshire, in the part of the county with which I am acquainted, the commonest weight, not only for potatoes, but also for corn, that is to say, for wheat, barley, and oats, is the bag; and Devonshire farmers will generally make comparisons in terms of the bag, and not of the bushel. I observe here that the bag is in some cases 120 lbs., in another case 100 lbs., and in another case 160 lbs., if so agreed upon. Has that bag any existence in other parts of England besides Devonshire?—Yes; but not of those same weights. It is a local and customary term.

122. But, I think, in other parts of England the sack is more used than the bag, is it not?—Yes; the sack is more used than the bag as applied to corn.

123. Can you tell me what is the usual weight of the sack?—A hundredweight and a-half.

124. Then you would think it desirable, from a public point of view, I presume, to eliminate those local measures, and by compulsory legislation to enforce transactions by weight?—If the Committee will allow me to qualify my answer I shall be glad to do so. I can only offer an individual opinion upon such a point, and that opinion must be guided by the practice in other fields, not so much with regard to corn. Judging from one's experience of what has happened in the sale of other commodities, I have no doubt in my own mind that it would be far better, and that it would avoid a great amount of trickery, if all corn for wholesale purposes was required to be sold by weight only.

125. In

Mr. *Mark Stewart.*

125. In regard to that last answer I suppose you are aware that at least in Scotland the larger proportion of the corn is sold practically by weight; you sell so many bushels, we will say, and the weight is guaranteed?—Yes.

126. Of course if you did away with the bushel it would rather complicate matters, would it not? If I say that I have 100 bushels to sell it is a simple mode of expressing it, always with an underlying supposition that that 100 bushels is sold by weight?—I think it would simplify matters to separate the actual mechanical weighing and measuring of the commodity from any consideration as to its quality. That has been the mistake in past legislation, I think; I think an order, for instance, should go for so many hundredweights or tons. The question as to the quality is one that the purchaser and the seller would see to.

127. The quality is generally determined by the weight, is it not?—As in the case of other matters, bread, coal, gold, and so on, it is determined by certain magnitudes settled between the buyer and the seller.

128. How do you distinguish between measured weight and measure and weight?—Where the bushel of grain is required to have a given fixed weight, that is, according to this return, a sale by measured weight; but where the order has been given by weight, the corn to be afterwards measured, as it sometimes is, that is measure and weight. The practice in Norfolk, for instance, is sometimes to advertise corn for sale of a certain measure, although it is subsequently sold by weight.

129. In your opinion it would be very desirable to have all corn sold by weight rather than by measure and weight?—My opinion, taken as I have already suggested it should be, is that it would be desirable to have it sold entirely by weight.

130. I suppose you will admit that in a given district there is not much difficulty, but that when you come to have more extensive dealings, for example, Scotland with England, then all these different weights come to be a very serious matter?—Very serious, but I am sure that no legislation, even if any should be attempted, would be successful unless it dealt with the whole of the United Kingdom.

131. But there would be a good deal of difficulty, would there not, attending a rapid change in the law?—I think this question needs discussion, and discussion might prepare the way for legislation. Farmers and dealers generally have expressed an opinion in favour of weight, an opinion to which the Board of Trade listened to when they legalised the cental in 1879; but the bulk of the people at large; as shopkeepers, who are an important class in the consideration of this question; do not yet quite understand the difference between measuring and weighing. The matter wants ventilating and discussing.

132. Have you any experience and knowledge of the fiars' courts in Scotland?—Yes.

133. Are you aware that they have considerable difficulty there in arriving at a just approximation to the value of the grain?—Yes; that is shown in the valuable return which was presented in 1887, Grain, &c. (Fiar Prices), No. 319, of 1887; there is a great difficulty in arriving at a close approximation.

Mr. *Mark Stewart*—continued.

134. And of course if grain was sold by weight it would simplify the matter very much in arriving at a just conclusion?—Yes, but those fiars' prices are somewhat governed by ancient enactments, which would have to be repealed before any improvement might be attempted.

Mr. *Farquharson.*

135. You have had no complaints as to the existing system except from Scotland?—No, except as previously mentioned.

136. And so long as each district has its own custom, as it has now, there is no cause for complaint?—Judging by one's experience in other cases, I think there must be cause of complaint where there is so much diversity. The complaints do not always come to the surface; we have not sought for them. If we were to write to dealers, or retail traders, or others practically interested, and inquire if they liked the existing system, they might say they did not want it changed; but if we were to write to the local officers who have charge of these matters generally, we should find, I am sure, that the existing system gives rise to trouble.

137. When you come to selling corn only by weight it is no test whatever of its quality?—No.

138. And when you sell it only by measure, that again is no test of its quality?—No.

139. But when you sell it by measure and weight combined, it is a test of its quality?—Yes.

140. So that if we could secure such an arrangement, the best way of selling corn would be by weight and measure, because there you would have a test of its quality at the same time?—Yes.

141. Is there any reason why we could not come to such an arrangement?—Yes.

142. What would that reason be?—A natural reason almost. No arrangement could be suggested which would meet the natural conditions of every county and district throughout the United Kingdom. The natural weight of corn varies in every locality. If we suggested a figure, say 60 lbs. to the bushel, we know it could not be followed as the weight of corn varies so considerably. We should put many to grave inconvenience if we suggested as a magnitude one fixed weight per bushel. We are not dealing with a thing of a fixed quality which can be dealt with and manipulated as gold is, but we are dealing with a natural thing, and we must take it as we find it, and we cannot fix the weight of that natural thing.

143. You could not have grades in corn as you have in gold?—We could not, because in the case of gold the thing is in the hand of man, and he can work the standard up to what he pleases; but here we must take the corn as it grows; and we have an infinite number of values, and no one of those values would satisfy the conditions of the whole country.

144. But no one would buy oats by weight only, because you might have oats at 60 lbs. to the

Mr. *Farquharson*—continued.

the bushel which were not so good as another sort of oats at 40 lbs. to the bushel?—Quite so.

145. Therefore, if we bought grain by weight only, should we not be in rather a worse position in that respect than we are in now?—I think not.

146. Now we have something to go by; we buy oats of a certain weight and a certain measure, and then we can judge, by the weight and measure combined, of the quality?—These are two distinct operations; one the measurement of quantity, the other the determination of quality. The sale by weight would not prevent the use of measure for determining the quality of oats.

147. You must still retain that to some extent?—I assume that the purchaser, on the principle of *caveat emptor*, would require to ascertain the quality of his corn. If he buys meat, he takes care as to the quality of the cattle. It is a matter between the buyer and the seller, with which pure measurement of quantity has nothing to do.

148. The honourable Member for East Norfolk suggested to you that the sacks that are now in existence would be useless, if you sold oats especially, by weight, and I think you agreed with him?—I think they would be useless to a large extent.

149. But I do not understand why at all?—Supposing that the Legislature were to move in the matter, and were to prescribe the hundredweight as the unit of weight, I am not quite sure that in every case it would be convenient to put up hundredweights into the present sacks.

150. You must put 150 lbs.?—Yes; I am judging from what has happened recently with regard to other measures. I think there would be a large number of sacks that would fall out of use; but that is one of those transitory difficulties which must arise whenever legislation takes place. It is not a serious question.

151. The honourable Member suggested to you that allotment holders would have to get weights; I suppose that, as a matter of fact, small holders now who sell a pound of butter have to have weights?—The trader is not required to possess weights; he is only required to sell by weight; but if he does possess weights and scales, then those weights or scales must be true and be stamped by the inspector. Take the case of an allotment holder: the present law would not require, and I do not think any law could require an allotment holder to purchase scales and weights; it could only say to him, "If you sell butter or corn, you must sell it by weight." He might borrow his neighbours' scales and weights or he might get his corn weighed in some other way.

152. As a matter of fact I know, a great number of small people who sell butter by the pound, and they have to have weights and they have to send them in to be tested by your inspectors, I think once or twice a year?—Yes.

153. So that if a dairyman is required to have weights it would be no additional hardship that an allotment holder should be required to have weights?—I do not know whether it might happen in that case, but as to the examination of the weighing instruments used by farmers, which has been recently undertaken, one of the inspectors acquainted me yesterday that he found 80 per cent. of the farmers' instruments were in fault, not wilfully so, but by pure accident and negligence.

Mr. *Farquharson*—continued.

Chairman.

154. Do you know what weights are found to be generally in use amongst farmers?—For retail purposes, and for the sale of wool, corn, and butter, they always use the half hundredweight, the stone, the half stone, and the pound. That is the scale.

155. If there was a compulsory weight, do you think it would be likely to be evaded by corn-dealers; do you think it would be possible to make the weighing so compulsory as to defy evasion?—I do not think it would. All laws are perhaps sometimes evaded, and the weights and measures laws are no exception; but the evasion would be far less in the wholesale trade than it would be in the retail trade.

156. You are not in a position to state whether there is much evasion at Mark-lane now?—From what I have been lately told by the clerk of the exchange, I should judge that in the wholesale importation of corn there is hardly any evasion. There is no desire to evade. But as to the internal trade, I could not offer any opinion.

157. Is there any other evidence that you wish to lay before the Committee?—I think not.

Mr. *Farquharson.*

158. There is a great variety of hundredweights in the country, and a great many things are sold by what they call in my country the great hundredweight and some by the little hundredweight; is that a legal way of selling?—There are two hundredweights known to be in use, the long hundredweight of 120 lbs. and the Imperial cwt. of 112 lbs. Where the sale is by the hundredweight, then it is illegal to sell by the long hundredweight of 120 lbs. But that is evaded, and it is one of those evasions of the Weights and Measures Act which are not easily reached. The sale is always when it comes to a legal sale by the hundredweight of 112 lbs.

159. In our country they sell by hundredweights of 112 and 100 lbs., and if you weigh your produce when it comes home you find that it weighs 100 lb., and then they tell you, "Well, it is the custom always to sell this class of goods by the 100 lb., the little hundredweight"; that is not a legal weight at all as a hundredweight, is it?—The sale by the 100 lbs. or the new hundredweight has also been legal since 1879; the Weights and Measures Act, I am afraid, would not help the purchaser; if he found that he had received less than he expected to receive, he would have to take proceedings under the common law.

160. The custom of the country would go against him probably?—Yes.

Chairman.

161. Can the corn returns be correct if quarters that are measured alone are returned from any counties and have to be converted by the inspectors into bushels weighing so many pounds?—I could not give any strong opinion as to the corn returns.

162. But is it not evident that if the quarters are sent to these inspectors of corn returns, measured

Chairman—continued.

measured quarters alone, from any part of England, and have to be converted into weights, it is impossible to put down anything nearer than a guess as to their weight, because they are not weighed at all?—I think the clerk of the markets must rely very largely upon the information that is given to him; but this is a question on which others could speak with greater authority than myself.

163. So that the existence of the two systems, where the quarter is not weighed at all, is incompatible with the strict accuracy of the returns?—I could not follow that.

Mr. *Farquharson.*

164. When I asked you just now about the impossibility of having your weight and measure test, you said that the class of corn varied so much in different parts of England; but that is only in the quality of the corn and there would be no harm in the purchaser knowing it, and no great ill would be done to the seller?—The purchaser should know it.

165. But supposing that I bought oats at 40 lb. to the bushel and that I found I had to take a bushel and a peck to give me 40 lbs., that would give me a very good idea as to the quality of the corn and the seller would not get a less price probably than if he had sold it in the market; there would be no hardship to anybody in that case if you could combine weight and measure?—If we could find any one magnitude or weight that would meet the requirements of the whole kingdom it might be a good thing to say that 40 lbs. shall be the bushel throughout the length and breadth of the land, but I submit that it is impossible to say that.

166. I should buy as I do now, and as I see by your returns they do in many parts of England, by weight and measure; that seems to me the fairest way of buying. We have fallen into buying by weight and measure nearly all over England, and it has become a custom from the convenience of it?—I would submit that that is hardly so in quantitative measurements. The practice is to order so many quarters of a certain weight, or so many hundredweights of a certain weight per bushel. The order is given, and the delivery is by weight only or by measure only.

167. It is largely by weight only, but scarcely of course in the case of oats, because there is such a great difference in the hull of the corn?—Yes.

Chairman.

168. Are you aware that the returns are made in France both by weight and by measure?—I am not aware that all official returns are made by both weight and measure. I have seen

Chairman—continued.

published returns at per hectolitre and per kilogramme.

Mr. *Maguire.*

169. Will you state once more what is the precise difference that you make between measured weight and measure and weight; is there any distinction?—Yes; there is a distinction, though not very apparent. Measured weight is where the seller is buying a definite weight per bushel fixed at the time of sale. Buying by measure and weight is where the seller is buying a fixed measure of grain, as 100 quarters, the grain being subsequently delivered by weight; rather the converse of the other operation.

170. In the case of measured weights there is a standard of weights and measures?—Yes.

Chairman.

171. Did we correctly understand you to say that in France, as in England, there is some diversity in the methods of sale?—Yes.

172. Although they are supposed to have the decimal system?—Yes.

173. Is not the decimal system compulsory in France?—It is compulsory; but there is no country, including France, where the decimal system is alone followed. It is impossible to work with the decimal system pure and simple. The natural inclination of the mind is to halve and quarter, and all systems of weights and measures are based on that natural inclination. In France, as the Committee are aware, sale is more often by the demi-kilogramme than by the kilogramme. That inclination to halving and quartering has made itself felt through the metric system, and the consequence is that in France generally, and in other countries where they use the metric or decimal system, they also have a binary system. The system is decimal when it is used on paper for noting or expressing weights and measures; and it is binary when the weights and measures are actually handled and used in shops.

Mr. *Farquharson.*

174. You were speaking of a weights and measures system just now; I daresay you know that corn is very often sold by weight and measure; that is to say you would sell a bushel of oats and say that they weigh 40 lbs. to the bushel, that is one way. Then a second way is that you say you will make them weigh 40 lbs. to the bushel, which makes, of course, a different class of article altogether?—It would make a difference, and I would suggest that I have not proposed to follow this second way.

175. And that causes great trouble, I should say, in the returns?—Yes, in the returns laid before the Committee.

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APPENDIX, No. 1.

PAPER handed in by Mr. *H. J. Chaney.*

ANALYSIS of SUMMARY of Returns from the principal Inspectors of Weights and Measures, throughout the United Kingdom.

ENGLAND.

	Wheat.	Barley.	Oats.	Total Number of Counties and Towns.
1. Number of counties and towns in which sale is by weight only.	68	66	65	
2. Number of counties and towns in which sale is by measure only.	29	32	29	163
3. Number of counties and towns in which sale is by weight or measure combined, or by measured weight.	66	65	68	

WALES.

1. Number of counties and towns in which sale is by weight only.	1	1	1	
2. Number of counties and towns in which sale is by measure only.	—	—	—	17
3. Number of counties and towns in which sale is by weight or measure combined, or by measured weight.	16	16	16	

SCOTLAND.

1. Number of counties and towns in which sale is by weight only.	13	14	14	
2. Number of counties and towns in which sale is by measure only.	8	8	8	47
3. Number of counties and towns in which sale is by weight or by measure combined, or by measured weight.	25	24	25	

IRELAND.

1. Number of counties and towns in which sale is by weight only.	96	93	96	
2. Number of counties and towns in which sale is by measure only.	4	7	4	101
3. Number of counties and towns in which sale is by weight or measure combined, or by measured weight.	1	*See* Note on page 46 of the Summary.		

Standards Office, 17 July 1891.

APPENDIX, No. 2.

PAPER handed in by Mr. *H. J. Chaney.*

SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND:							
Accrington	Weight [by the score (20lb.) or proportion thereof].	Weight (*see* Wheat)	Weight (*see* Wheat)	Weight	Avoirdupois weight		No corn grown here.
Ashton-under-Lyne	Weight generally	Weight generally	Weight generally	Weight mostly; peas, measure	Imperial		Not an agricultural district.
Bacup	Weight	Weight	Weight	Vegetables — weight Ripe fruit — measure.	Imperial.	—	—
Banbury	Measured weight (62 lb. per bushel).	Measured weight (56 lb. per bushel).	Measured weight (white, 45 lb., black, 40 lb. per bushel).	Measure and weight Potatoes, 56 lb. — per bushel. Apples, 48 lb. — „ Peas, 56 lb. — „ Onions, 48 lb. — „	Imperial	Wickerwork measure termed a "pot" = for potatoes 80 lb. weight, apples 64 lb. weight.	—
Barnstaple	Weight	Measure and weight	Measure and weight	Weight generally	Imperial		If sold in any quantity less than a bushel, then wheat, barley, and oats are sold by measure only.
Barrow-in-Furness	Weight (usually the stone of 14 lb.).	Weight (*see* "Wheat").	Weight (*see* "Wheat").	Weight; except green peas, strawberries, and gooseberries, by measure.	Imperial.	—	—
Bath	Bushel or quarter at a given weight.	*See* "Wheat"	*See* "Wheat"	Potatoes by weight; other vegetables by weight and measure.			"Given weight" not stated.
Batley	Weight	Weight	Weight	Weight; except berries, sold by measure.	Imperial.	—	—
Bedfordshire	Weight generally	Weight generally	Weight generally	By weight when sent away to other places. By measure when sold at home.	Imperial.	—	—

Bedford, Borough -	Measured weight (62 and 63 lb. per bushel).	Measured weight (56 lb. per bushel).	Measured weight (42 lb. per bushel).	Measure and weight - - Potatoes wholesale by ton; retail by lb.; fruit by the lb.	Ton, lb., bushel, peck ½ peck and pottle.	None in use - - -	(Pottle is not considered as a customary "measure.")
Berks - - -	Measured weight (62 and 63 lb. per bushel).	Measured weight	Measured weight (38 and 40 lb. per bushel).	Measure and weight - Cabbages - - - tale Greens - - - bundles Spinach - - - ,,	Imperial.	—	—
Birkenhead - -	Bushel determined by weight (70 lb. per bushel).	Bushel determined by weight (60 lb. per bushel).	Bushel determined by weight (45 lb. per bushel).	Weight, except foreign apples and grapes sold by barrel (wholesale). Strawberries sold by the sieve (wholesale). Gooseberries - - ,, Cherries - - - ,, Plums - - - ,,	Imperial, except barrels and sieves.	Barrels average 4 and 2 bushels; sieves average 1 and ½ pecks.	—
Birmingham - -	Measure - -	Measure - -	Measure - -	Weight and tale - - -	Imperial - - -	Pot baskets contain 80 lb. of potatoes. Pot baskets of fruit vary up to 72 lb. each. Sieves vary from 10 to 30 lb. each.	—
Blackburn - - -	Weight - -	Weight - -	Weight - -	Weight, except strawberry and stone fruit, sold by measure and weight.	Vegetables by the load of 240 lb., peas and beans by the peck.	—	—
Blackpool - - -	None sold - -	None sold -	Bushel - -	Weight - - - - -	Imperial.	—	—
Bolton - - -	Weight (240 lb. = load).	Weight (240 lb. = load).	Weight (135 lb. crushed, 180 lb. uncrushed = sack).	Weight - - - - - Green peas, &c., measure.	Imperial - - -	Barrels are as follows: Hogshead = 54 gallons. Barrel = 36 ,, ½ ,, = 18 ,, ¼ ,, = 9 ,, ⅙ ,, = 6 ,, ⅛ ,, = 4½ ,,	—
Bootle - - -	Weight - -	Weight - -	Weight - -	Fruit, weight and measure - Green peas, &c., measure.	Sacks from 240 lb. to 280 lb.	—	—
Bradford - - -	Weight - -	Weight - -	Weight - -	Weight - - - - -	Imperial.	—	—
Brighton - - -	Measure, but occasionally the measure is of a guaranteed weight.	*See* "Wheat" -	*See* "Wheat" -	Mostly by measure - - -	Imperial.	—	—

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Bristol	Nominally by *measure* by the quarter, but really by *weight*, the quarter containing fixed weight, and the weight is the standard of sale, 62 lb = bushel (measured weight).	*See* "Wheat" 50 lb. = bushel.	*See* "Wheat," black, 38 lb. = bushel; white, 40 lb. = bushel.	Weight as a rule	Imperial	Quantities signified by weight:— Quarter of potatoes = 10 lb. Sack of 24 quarters = 240 lb. Basket of English apples = 50 lb. Barrel of Foreign apples:— American barrel = 120 lb. net. Canadian barrel = 132 lb. net.	—
Bucks	Weight nearly always.	*See* "Wheat"	*See* "Wheat"	Farmers, weight; retailers, weight and measure.	Avoirdupois, bushel, &c. and pottle.	Pottle = ½ gallon.	—
Burnley	Weight	Weight	Weight	Weight	—	—	—
Burton-on-Trent	Quarter = 504 lb.	Quarter = 448 lb.	Quarter = 336 lb.	Weight for berries	—	—	—
Bury	Weight	Weight	Weight	Measure and weight	Imperial	Pack (a farmer's term) = 244 lb.: viz., 240 lb. of potatoes and 4 lb. allowed for dross; 20 lb. = score.	—
Cambridgeshire	Weight and measure (quarter of 36 stones).	Weight and measure (quarter of eight bushels).	Weight and measure				*See* "Wheat;" usually sold by the quarter of eight imperial bushels.
Cambridge, Borough	Quarter of guaranteed weight. Retail, by measure.	*See* "Wheat"	*See* "Wheat"	Measure and weight Cabbages and cauliflowers, tale.	Imperial	Skips and flats of apples are sold, but they do not, however, represent any particular weight but what each particular skip or flat holds. Butter is sold by the yard, and each yard is supposed to weigh a lb.	
Canterbury	Measure	Measure	Measure	Vegetables, by measure Fruit, measure and weight.	Imperial.	—	—
Carlisle	Measure	Measure	Measure	Measure and weight	Imperial.	—	—

Chepping Wycombe -	Measure ("strike" measure).	*See* "Wheat" -	*See* "Wheat" -	Vegetables, by measure - - Fruit, measure and weight. Grapes - - - weight Cherries - - - " Berries - - - "	Imperial, except as stated in next column.	Pottles = ¼-peck (used for corn, fruit, and vegetables). Sieves = "heaped bushel" and "½-bushel" (used for apples, plums, cherries, and potatoes; not heaped, except apples and potatoes); 3 sieves (bushel) = 1 sack. Sieves, also known as "flats," as regards bushel sieves only. Bushel sieve of potatoes = 56 lb.	—
Cheshire - - -	Weight and measure	Weight, but still occasionally by measure.	Weight per bushel varies with locality.	Measure and weight - -	Imperial - - -	Sieves sometimes used in strawberry trade, in which case a sieve is supposed to contain 12 lb.	"Cental" used for foreign grain. Growing inclination to deal by weight.
Chester - - -	Measure and weight (75 lb. = bushel).	Measure and weight (60 lb. = bushel).	Measure and weight (45 lb. = bushel).	Almost all fruits are sold by measure. Vegetables, such as green peas and potatoes, by bushel of 54 lb.; carrots, &c., by weight.	- - - -	Fruit by wholesale is sold by mollys and sieves. A molly contains 14 quarts and a sieve 10 quarts. Potatoes are sold in hampers containing 1½ bushels, or 126 lb.	—
Chesterfield - -	Measured weight (36 stones = qtr.)	Measured weight (32 stones = qtr.)	Measured weight (24 stones = qtr.)	Weight - - - - -	Platform weighing machines; and scales with 5 lb., 28 lb., and 14 lb. weights.	—	—
Clitheroe - - -	Weight - -	Weight - -	Weight - -	Weight - - - - -	Imperial.	—	—
Colchester - - -	Measure - -	Measure - -	Measure - -	Measure generally, but weight used in a few shops.	Bushels, pecks, &c., in sale of corn, vegetables, and fruit. Imperial weights in sale of fruit when used.	Coomb = 4 bushels, used in the sale of corn. Potatoes, apples, &c., sold wholesale by the sack = 3 bushels.	—
Cornwall - - -	Weight mostly -	Weight mostly -	Weight mostly -	Measure and weight - -	Imperial.	—	—
Coventry - - -	Measured weight, per quarter of 496 lb., or bag of 186 lb.	Measured weight, per quarter of 448 lb.	Measured weight, per quarter of 352 lb. (new), 312 lb. (old).	Weight - - - - -	Imperial.	—	—
Croydon - - -	Principally by measure, but generally weight stipulated.	*See* "Wheat" -	*See* "Wheat" -	Weight principally - - -	Imperial.	—	—

APPENDIX No. 2.—SUMMARY of Returns from the principal Inspectors of Weight and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Cumberland	Measure and weight. The measure used generally is the local measure, known as the Carlisle bushel = 3 imperial bushels and 9 stone in weight.	*See* "Wheat"	*See* "Wheat"	Vegetables sold by bulk; fruit, measure and weight.	Imperial, excepting Carlisle bushel.	Carlisle bushel = 3 imperial bushels.	—
Derbyshire:							
Southern Division	Weight	Weight	Weight	Weight	Imperial	—	Brewers' grains are sold by measure.
Northern Division	By quarter of 36 stones (measured weight).	By quarter of 32 stones (measured weight).	By quarter of 24 stones (measured weight).	Weight generally; potatoes by measure.	Imperial.	—	—
Derby, Borough	Weight	Weight	Weight	Weight	Pecks: Potatoes 20 lb., Onions 16 „, Apples 16 „, Peas 18 „, Plums 18 „, Damson 18 „, Cherries 16 „, Gooseberries 16 „, Currants 16 „, Swede turnips 18 „, White turnips 16 „, Broad beans 8 „, Green peas 8 „, Kidney beans 8 „	Barrels not of any definite weight.	—
Devon:							
District A.	Measure and weight; chiefly by weight.	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial	—	Practice in Devon varies considerably. Hay, straw, and firewood sold by weight.
District B.	Measure	Measure	Measure	Weight	Corn, by the bushel. Vegetables and fruit, avoirdupois weight. Berries, by the quart.	—	Hay sold by the ton. Straw sold by bundles of 40 lb.

District C.	Measured weight (62 lb.=bushel).	Measured weight (English, 56 lb.=bushel; foreign, 50 lb.=bushel).	Measured weight (38 lb.=bushel).	Various: Turnips, by ton and by bag Sweed turnips, 160 lb. per bag. Common turnips, 120 lb. per bag. Apples, 120 lb. per bag. Cabbages and cauliflowers, tale; currants and raspberries, by the lb. Gooseberries and strawberries, by the quart.	Avoirdupois weights; pint; quarter; gallon, &c.	-	Hay and straw by the ton and cwt. only. Firewood by tons, cwts., and per 100 faggots; and occasionally at per seam. A seam of greenwood weighs 336 lb. A seam of dry wood weighs 280 lb.
District D.	As a rule, farmers sell by measure, but merchants almost always by weight; 62 lb.=bushel.	*See* "Wheat" - 52 lb.=bushel.	*See* "Wheat" - 38 lb. and 40 lb.=bushel.	Measure and weight	Imperial measures	Seam of 200 lb.	Hay by the ton of 2,240 lb. Straw by seam of 200 lb. net; and by the ton. Firewood by cwt. and ton.
District E.	Measured weight (62 lb.=bushel).	Measured weight (56 lb.=bushel).	Measured weight (38 lb.=bushel).	Potatoes, by weight (20 lb.) per score. Fruit, by measure.	Imperial weights and measures (bushel, half-bushel, and peck).	-	Hay sold by seam of 373 lb. Straw sold by seam of 200 lb. Firewood by cwt., and by seam of 12 faggots.
District F.	Weight	Weight	Weight	Measure and weight; and tale	Imperial	-	Hay, straw, and firewood, sold by avoirdupois weight.
District G.	Measure and weight (62½ lb.=bushel).	Measure and weight (56 lb.=bushel).	Measure and weight (95 lb.=2½ bushels).	Measure and weight	Imperial weights and spring balances; and Imperial measures of half-pint and upwards (tin and wooden measures).	-	Hay by the ton of 2,240 lb. Straw by the bundle of 20 lb. Firewood by the cwt.
District H.	Measured weight (60 lb.=bushel).	Measured weight (48 lb.=bushel).	Measured weight (40 lb.=bushel).	Usually by measure, except potatoes by weight.	Imperial	-	Hay and straw by weight. Firewood by weight, except in large quantities, when it is sold in lots or per dozen, and not by seams.
District K.	Measure	Measure	Measure	Measure and weight	Imperial	-	Hay by weight. Straw per bundle of from 30 to 40 lb.
District L.	Weight	Weight	Weight	Measure and weight	Imperial	-	Hay, straw, and firewood by weight.
District M.	Measure, *i.e.* Imperial bushel.	*See* "Wheat" -	*See* "Wheat" -	Fruit, chiefly by measure; potatoes, also in small quantities.	Imperial	Bag of potatoes is seven score=140 lb.	Hay and firewood by weight. Straw in bundles, reckoned at 40 lb.
District N.	Bushel of 62 lb. (measured weight).	Bushel of 56 lb. (measured weight).	Bushel of 38 lb. (measured weight).	Weight, as a rule; also per tale	Imperial	Score=20 lb.	Hay, straw, and firewood sold by the ton.

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Devon—*continued*.							
District X. 1	Per bushel, but each bushel must be a certain weight (62 lb.=bushel).	*See* "Wheat" (56 lb.=bushel).	*See* "Wheat" (black, 38 lb.=bushel; white, 40 lb.=bushel).	Potatoes and apples, wholesale per bag, weighing 120 lb.; retail, by weight. Other fruit, chiefly by measure.	Imperial and fruit measures in accordance with Section 16 of "Weights and Measures Act, 1878."		Hay by the ton and by the seam (373 lb.). Straw by the seam of 200 lb. Firewood by the seam of 12 bundles; the weight depends on the kind of wood; retail by 1 *d*. bundles, or by weight.
District X. 2	Measured weight (62 lb.=bushel).	Measured weight (56 lb.=bushel).	Measured weight (38 lb.=bushel), and occasionally by measure.	Potatoes, per bag of 120 or 160 lb., as agreed. Turnips, weight. Apples, per score (20 lb.); and tale. Cabbage, tale. Fruit, generally by weight.	Imperial		Hay by the ton and by the seam (373 lb.). Straw by weight per ton, and by seam of 200 lb. Firewood (wholesale) at per 100 faggots; hardwood at per ton or cwt.; retail by 1 *d*. bundles or weight.
District W.	Measured weight (62 lb.=bushel).	Measured weight (56 lb.=bushel).	Measured weight (38 lb.=bushel).	Potatoes by weight Fruit by measure, weight, and tale.	Imperial		Similar to X. 2 District, in regard to hay, straw, and firewood.
Devonport	Weight	Measure	Measure	Vegetables - weight Fruit - measure and weight	Imperial.	—	—
Doncaster	The term sack, quarter, &c., is used, but practically the sale is by weight.	*See* "Wheat"	*See* "Wheat"	Although sold per peck, the measure is not used; the following are the weights: Peas - per peck - 8 lb. Beans " - " Apples " - 16 lb. Pears " - 17 lb. Plums " - 18 lb. Potatoes " 20 lb. and wholesale by load of 18 stone.	Imperial.	—	—
Dorset	Measure and weight. In many cases sold by bushel of guaranteed weight.	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial.	—	—
Dudley				Weight			No corn market in Dudley.

Durham, County	As a rule by weight (farmers when dealing with each other, by measure)	*See* "Wheat"	*See* "Wheat"	Measure and weight (generally by weight; small sales, by measure); cabbages, &c., tale.	Imperial.	—	—
Ely, Isle of	Weight (stone of 14 lb.).	Weight (stone of 14 lb.).	Weight (stone of 14 lb.).	Weight	Imperial	Coomb, equivalent to 4 bushels, is commonly spoken of in determining quantities, but sales are effected and invoiced on the basis of the stone of 14 lb.	—
Essex	Measure and weight according to agreement; if by measure, weight guaranteed. English, by measure; foreign, by weight.	*See* "Wheat"	*See* "Wheat"	Measure and weight, measure as a rule; but cherries and berries by weight. Cabbages, tale.	Imperial	Sieve of bushel and half bushel. Coomb = 4 bushels. Barrel = 36 gallons. ½ „ = 18 „ ¼ „ = 9 „	Includes 19 divisions of the county.
Exeter	Measured weight, 62 lb. = 1 bushel.	Measure only	Measure only	Potatoes - weight Turnips - „ Parsnips - „ Greens - handfulls Brocoli - tale Cabbage - „ Apples - 100 Pears - „ Cherries - weight Berries - measure Currants - „	Imperial.	—	—
Falmouth	Measure and weight	Measure and weight	Measure and weight	Measure and weight	Imperial.	—	—
Glossop	Weight	Weight	Weight	Measure and weight	Imperial.	—	—
Gloucestershire	Weight, except for small quantities (62 lb. = bushel).	*See* "Wheat" (56 lb. = bushel).	*See* "Wheat" (39 lb. = bushel).	Large quantities by weight, small quantities by measure.	Imperial	In Stroud Division, vegetables and fruit sold by customary measure of— 4 gallons = peck, 2 gallons = ½ peck. 1 gallon = ¼ peck.	Includes six divisions of the county. Opinion in favour of sale by weight only; owing to differing practice in other parts many mistakes and misunderstandings occur when buying from a distance.

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued.*

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued.*							
Gloucester, City - -	Wholesale; milling purposes, 56 lb. = bushel; feeding purposes, 50 lb. = bushel.	Wholesale; malting or feeding purposes, 50 lb. = bushel.	Wholesale; white or black, 39 lb. = bushel; crushed, 38 lb. = bushel.	Measure and weight - -	- - - -	*See* under, "Vegetables and Fruit."	Wholesale Trade: Beans: Farmers' weights, 65½ lbs. = bushel. Dealers' weights, 60 lb. and 63 lb. = „ Peas: Farmers' weights, 65½ lb. = „ Dealers' weights, 63 lb. = „ Maize (all kinds), 60 lb. = „ Dari - - 50 lb. = „ Buckwheat, 50 lb. = „ Vetches, seed, 63 lb. = „ Feeding seed, 60 lb. = „

VEGETABLES:

Potatoes:
Farmers weights, 280 lb. = sack of 4 bushels.
Retailed, 14 lb. = peck.
Also by heaped measure, about 16 lb. = peck.

Note.—The peck, according to "sack" weights, would be 17½ lb., so that a difference of 3½ lb. per peck is made between the wholesale and retail peck (sale by weight).

Retailed by heaped measure.
Green peas, wholesale, 42 lb. = pot,
Kidney beans „ 40 lb. = „
Potatoes „ 70 lb. = „
Turnips „ 56 lb. = „
Onions (English) „ 60 lb. = bushel

FRUIT:

Apples, wholesale, 84 lb. = pot.
Pears „ 100 lb. = „
Plums „ 90 lb. = „
Currants „ per lb.
Soft fruits, retailed, per lb.
Apples, pears, and plums, retailed by weight, and heaped measure (as ½ peck).

SEEDS:

Canary, wholesale, 58 lb. = bushel.
Hemp „ 42 lb. = „
Rape „ 52 lb. = „
Millet „ 52 lb. = „
Niger „ 47 lb. = „
Linseed „ 52 lb. = „
Haricot beans „ 63 lb. = „
Haricot beans „ 56 lb. = „
Lentils „ per bag of 100 lb.

All the above are retailed by weight and struck measure.

Grantham	Weight	Weight	Weight	Weight	Imperial.	—	—	
Gravesend	Almost wholly by measure.	*See* "Wheat"	*See* "Wheat"	*See* "Wheat"	- ditto.	—	—	
Guildford	Measure	Measure	Measure	Measure and weight	Imperial			All English corn is sold by Imperial measure. In the case of foreign corn, this is invoiced at so many bushels of 38 lb. per bushel (Imperial); consequently, a bushel of oats of inferior quality of 38 lb. would measure more than a bushel, and the invoice, in this case, would probably state of 40 lb.
Hartlepool	Measure	Measure	Measure	Measure and weight	Imperial.	—	—	
Hastings	Measure and weight	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial	Barrels of apples vary according to size; average weight of 4 bushels = 100 lb. net. Sieves of fruit: 1 bushel of cherries averages 40 lb.; plums averages 40 lb.	—	
Herefordshire	Measure and weight.	*See* "Wheat"	*See* "Wheat"					"Weight is now more generally recognised, but all corns are sold sometimes by Imperial measure, sometimes by weight; one state of things exists at Ross, another in Hay; Leominster and Hereford have each their own customs; and everybody wishes for a uniform system, but nobody adopts one.
Herts	Measured weight (63 lb. = bushel).	Measure (grinding, 50 lb. = bushel; malting, 56 lb. = bushel).	Measure and weight as agreed (38 lb., 40 lb., 42 lb. = bushel).	Vegetables - measure Fruit, weight, except apples, which are sometimes sold by measure.	Imperial.	—	—	
Huddersfield	Weight	Weight	Weight	Weight, except a few articles, such as celery and cabbages, which are sold by the dozen. Fruit sold by weight.	Vegetables and corn: pound, stone (14 lbs.), pack (240 lbs.); sack of oats (12 stones).	—	—	
Hull	Weight (504 lb. per quarter net).	Weight (448 lb. per quarter net).	Weight (336 lb. per quarter net).	Weight	Imperial.	—	—	
Huntingdonshire	Weight, in 4 bushel sacks (18 stones).	*See* "Wheat" (16 stones).	*See* "Wheat" (from 10 to 13 stones).	Measure	Imperial.	—	—	
Ipswich	4 bushels to the coomb, or 18 stone, and also by the quarter.	4 bushels to the coomb.	12 stone to the coomb.	Heaped measure	Imperial	The coomb is 4 bushels (Imperial dry measure), in the case of wheat, this should weigh 252 lb.; but in the case of barley it varies. Oats are sold by the coomb, but are generally made to weigh 12 stone, or 168 lb.	—	

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Kendal	Weight (280 lb. = load).	Weight (by the bushel).	Weight (by the stone, *i.e.*, 14 lb.).	Vegetables wholesale, by weight; retail, by measure and weight. Fruit wholesale, by weight; retail, by measure.	Imperial	A measure for the sale of peas is called a "hoop;" it is equivalent to the standard gallon. Load of wheat = 5 standard bushels.	—
Kidderminster	Measured weight (62 lb. = bushel).	Measured weight (English, 56 lb. = bushel. Foreign, 49 lb. = bushel).	Measured weight (39 lb. = bushel).	Potatoes, by the pot of 90 or 112 lb. Peas, pot of 42 lb. Beans " " Apples, pot of 84 lb. Pears " " Oranges, by the case (all sizes).	Imperial	*See* "Pot," under "Vegetables and Fruit."	—
King's Lynn	Weight, occasionally by coomb or quarter.	Measured weight (63 lb. = bushel).	Weight	Weight	Imperial	Coomb varies from 14 to 16 stones.	—
Lancashire [Leyland Division]	Weight (Windle = 220 lb.)	Weight (Pack = 240 lb.)	Measure and weight (Bushel = 45 lb.)	Measure (as peas and beans), but weight generally; also by tale (as oranges and lemons).	Imperial	Score = 20 lb. Leyland Division:— *See* "Windle" under "Wheat." *See* "Pack" under "Barley."	Includes 22 divisions.
[Ormskirk and Widnes Divisions.]	(70 lb. = bushel.)	(60 lb. = bushel)	(45 lb. = bushel.)			Ormskirk Division:— Load = 240 lb. Bushel = 90 lb.	
Leamington	Weight and measure, stricken off.	*See* "Wheat"	*See* "Wheat"	Weight	Imperial.	—	—
Leeds	7½ lb. = gallon weight; per load of 3 bushels, 14 stones gross; also per quarter of 504 lb. net, and 480 lb. net.	6½ lb. = gallon weight; per quarter of 32 stones net.	5 lb. = gallon weight; per quarter of 24 stones net.	Weight principally	Imperial	When fruit is sold in sieves, it is represented as containing so many lbs., generally 12 lb. So also, a barrel of apples is stated to contain so many stones; an American barrel varying from 10 to 11 stones.	Weighing fruit is general. Peas, beans, brussels sprouts, and soft fruit of almost every description, even gooseberries, are weighed; so that few dry measures are required.

Leicestershire	Weight	Weight	Weight	Weight	Imperial.	—	—
Leicester, Borough	Measure and weight	Measure and weight	Measure and weight	Vegetables, weight; fruit generally by weight, but wholesale sometimes by the basket.	Imperial.	—	—
Lincoln	Weight (18 stone net = sack).	Weight (16 stone net = sack).	Weight (12 stone net = sack).	Weight	Imperial	Potatoes, 21 lb. to the peck. Onions, 16 „ „ Apples, 16 „ „ Plums, 18 „ „ Green peas 9 „ „ Foreign onions, by case or bag.	—
Lincolnshire (Three Divisions).	Weight (36 stone = quarter).	Weight (32 stone = quarter).	Weight (24 stone = quarter).	Measure, but the measure must have a fixed weight	Imperial.	—	—
Liverpool	Weight (by cental). Farmers sell by bushel = 70 lb.	Weight (60 lb. = bushel).	Weight (45 lb. = bushel).	Weight mostly	Imperial	Apples by barrel = 140 lb. Oranges in cases of 420 and 714 in case. Soft fruit, as strawberries, sold by sieve, weighing from 12 to 24 lb. Turnips by the cwt. Potatoes „ Carrots by score, or 20 lb.	Indian corn is sold by bushel = 60 lb. Linseed „ = 52 lb. Peas „ = 63 lb. Beans „ = 60 lb.
London	Wholesale, by weight; retail, by measure and weight.	*See* "Wheat"	*See* "Wheat"	VEGETABLES. Wholesale:— Potatoes by weight; greens by the dozen, and by the talley of 5 dozen, and by price; also in bags and in sieves; the weight or measure of the goods sold in bags and sieves is not guaranteed. Retail:—Measure and weight, principally by weight; cabbages, parsnips, vegetable marrows, &c., are usually sold at so much each, or per bundle. FRUIT. Wholesale:—Dried fruit by weight; green fruit by the box, case, barrel, and sieve. Retail:—Principally by weight.	Imperial	No local or customary measures. The barrels and boxes used for importing apples, oranges, grapes, &c., vary in size, and are not represented to contain imperial measure. Sieves are more uniform, and their capacity is about: Sieve = 1 bushel. ½ „ = ½ „ ¼ „ = peck.	Practice varies in wholesale and retail trade respectively.

APPENDIX No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Louth (Lincolnshire)	Weight (18 stones to sack), 2 sacks = quarter.	Weight (16 stones to sack), 2 sacks = quarter.	Weight (12 stones to sack), 2 sacks = quarter.	Weight	Imperial	—	Beans and peas, 19 stones to sack.
Macclesfield	By weight; but a specified weight is termed a measure, viz. "75 lb." = bushel.	*See* "Wheat" 60 lb. = bushel.	*See* "Wheat" 50 lb. or 45 lb. = bushel (as agreed upon).	Measure and Weight, mostly weight or tale. (Roots by weight; berries by measure; cabbages, &c., by tale.)	Bushel, cwt., load, score, dozen.	Load = 252 lb.	—
Manchester	Sack of 240 lb.	Sack of 240 lb.	Bushel of 45 lb.	English:—Usually by weight. Foreign:—Usually by the package.	Imperial	Peck represents various weights, viz., 14 lb., 16 lb., 18 lb., according to the kind of fruit.	—
Margate	Measure	Measure	Measure	Measure, except in retail trade	Imperial	Sieve = 1 bushel.	—
Middlesbrough	Weight	Weight	Weight	Weight	Imperial	—	No corn market.
Middlesex	Measure	Measure	Measure	Measure and weight, mostly by weight.	Imperial	Coomb = 4 bushels Barrels:— Apples = 3 bushels Potatoes = 70 lb. Pad (potatoes) = 112 lb. Punnet = 1 lb. Nipper = 12 lb. Sieve = 1 bushel.	The inspectors have not recognised the local and customary measures.
Monmouthshire	Weight	Weight	Weight	Measure and weight	Imperial.	—	—
Newbury	Measure	Measure	Measure	Weight mainly; but vegetables, as potatoes, turnips, &c., often by heaped measure.	Imperial	Potatoes, sack = 3 bushels.	—
Newcastle-on-Tyne	Weight in bolls by farmers. Corn merchants retail in sacks (18 stone).	*See* "Wheat" (16 stones).	*See* "Wheat" (12 stones.)	Measure and weight	Imperial.	—	—

				currants, bilberries, &c.		load, viz. :— 84 lb. = bushel 3 bushels = load. Stone fruit is sold by the Measure, viz. :— 74 lb. = the measure. Foreign fruit is sold by cask and sieve (not representing any amount of imperial weight or measure).	
Newport (Mon.) -	Weight nearly always.	Weight nearly always.	Weight nearly always.	Weight - - - - -	Imperial.	—	—
Norfolk - - -	By the "coomb" of a certain weight. Measured weight. If a measure is used for filling it is afterwards weighed. (18 stone = coomb, or 4 bushels, or 2½ hundredweight).	Measured weight. 12 to 16 stone = coomb. In Fens, by weight.	Measured weight 10 to 13 stone = coomb, according to quality.	Weight in markets; measure in villages. Beans = 15 stone to the coomb. Maize = 17 " " Peas = 19 " "	Imperial - - -	Coomb = 4 bushels -	In one district :— "Measure may be said to have gone out altogether, or nearly so, for sale of corn." In Western Division, barley by measure, except in Terrington Marsh. In another district complaints of short measure are frequent. Includes 3 divisions of county. In Central Division inspector reports that 80 per cent. of the wood measures in use for trade are found to be more or less unjust.
Northamptonshire :							
Northern Division	Weight and measure (18 stone = sack). Sometimes by measure, in small quantities.	Weight and measure (16 stone = sack) and *see* "Wheat."	Weight and measure (12 stone = sack)," and *see* "Wheat."	Weight mostly - - -	Imperial - - -	Barrels - 10 to 12 pecks Sieves - about 40 lb. Pots - - 48 lb. Mollys, uncertain, there being also large and small mollys, ranging from 12 to 40 lb. Gooseberries, 48 lb. to the bushel.	—
Southern Division	Measure and weight (36 stone = quarter, when sold by weight).	*See* "Wheat" - (32 stone = quarter, when sold by weight).	*See* "Wheat" - (24 stone or 26 stone = quarter, when sold by weight.)	Measure and weight - -	Imperial - -	"Pot" of fruit supposed to weigh 80 lb. It is heaped measure of about 5 pecks.	—
Northampton - -	Weight (496 lb. per quarter).	Weight (448 lb. per quarter).	Weight (336 lb. per quarter).	By stated weights per bushel.	—	—	—
Northumberland -	Weight - - (27 stone = boll.)	Weight - - (24 stone = boll).	Weight - - (18 stone = boll.)	Measure and weight - -	Imperial - - -	Forpet and ½ forpet = gallon and ½ gallon. Beatment = gallon.	Includes six divisions of the county.

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Norwich	Measure and weight (weight generally 18 stone=coomb).	*See* "Wheat" (15 stone or 16 stone = coomb.)	*See* "Wheat" (12 stone=coomb.)	Measure and weight	Imperial	Coomb = 4 bushels.	—
Nottinghamshire	Measured weight (36 stone=quarter.)	Measured weight (32 stone=quarter.)	Measured weight (24 stone=quarter.)	VEGETABLES: Weight — Greens, sometimes by tale and hamper. FRUIT: Fruit generally sold by the peck and strick; 16 lb. to peck is the average for fruit, but varies for vegetables, *e.g.*: Potatoes, 20 lb. - peck; Beans, 9 lb. - - „; Peas, 8 lb. - - „; Strawberries, basket (when dear).	Imperial	*See* "Fruit"	Sale of vegetables and fruit by weight (stone) ought to be made universal. Includes two divisions of the county.
Nottingham, Borough	Measured weight (36 stone=quarter.)	Measured weight (32 stone=quarter.)	Measured weight (24 stone=quarter.)	Weight — Some vegetables by tale. Weight, sold equal to the peck measure: Apples - - 16 lb.; Broad beans - - 9 „; Gooseberries - - 16 „; Kidney beans - - 10 „; Peas - - - 8 „; Pears - - - 18 „; Plums - - - 18 „; Potatoes - - - 20 „; Onions - - - 16 „	Imperial	*See* "Fruit"	Beans: 38 stone=quarter. Peas: 36 to 38 stone = quarter.
Oldham	Weight	Weight	Weight	Weight	Imperial.	—	—
Oxfordshire	Measure	Measure	Measure	Measure	Imperial.	—	—
Oxford, City	Measure and weight	Measure and weight	Measure and weight	Measure and weight	Imperial.	—	-
Penzance	Weight (186 lb.)	Weight (160 lb.)	Weight (120 lb.)	Vegetables — weight; Fruit — measure.	Imperial, and in some cases Cornish bushel.	Cornish bushel = 24 gallons.	—
Peterborough	Weight, except for small quantities.	*See* "Wheat"	*See* "Wheat"	Weight	Imperial.	—	—

Plymouth	Weight (120 lb. = bag).	Weight (112 lb. = bag).	Weight (152 lb. = sack).	Potatoes - - - weight Carrots - - - " Onions, &c. - - " Brocoli - - - crate. Cabbages - - - tale. Apples - - - " Fruit - - - weight.	Imperial.	—	—
Portsmouth	Measure	Measure	Measure	Measure, except currants and cherries.	Imperial	Flour sold retail by gallon of 7 lb.	—
Preston	Weight (220 lb. = windle).	Weight (240 lb. = pack).	Measured weight (45 lb. = bushel).	Measure and weight	Imperial	Barrels of apples, containing 6 to 7 score lb. Sieves of small fruit, from 20 to 30 lb. Potatoes by the load of 6 score lb.	—
Reigate	Measure, and by the sack.	Measure, and by the sack.	Measure and by the sack.	Measure and weight	Imperial.	—	—
Rochdale	Weight	Weight	Weight	Weight	Imperial.	—	—
				VEGETABLES.			
Rochester	English, some by weight, but mostly by measure. Foreign, weight.	English, the major portion of Kentish barley is sold by measure. Foreign, major portion by weight.	English, major portion by weight. Foreign, weight.	Measure, weight, and tale. Potatoes by weight, wholesale.	Imperial	Sieves of various sizes are used, measuring 7, 8, and 9 gallons to the bushel.	—
				FRUIT.			
				Measure and weight.			
Rotherham	Weight per sack	Weight per sack	Weight per sack	Weight	Imperial.	—	—
Rutland	Weight	Weight	Weight	Weight	Imperial		Malt only is sold by measure.
St. Albans	Measure	Measure	Measure	Measure and weight	Imperial.	—	—
St. Helens	Weight	Weight	Weight	Measure, weight and tale	Imperial	Potatoes are sometimes sold in hampers and barrels, supposed to equal ¼-bushel, bushel, and 1½ bushels.	—
Salford	Weight	Weight	Weight	Weight	Imperial.	—	—
Salisbury	Measure principally	Measure principally	Measure principally	Measure and weight	Imperial.	—	—
Salop	Usually by measure; when by weight, 75 lb. = bushel.	*See* "Wheat" (70 lb. = bushel).	*See* "Wheat" 56 lb. = bushel).	Wholesale, usually by weight. Retail, measure and weight	Imperial	Many articles are sold by the score (20 lb.) [Stone, 14 lb., not generally used.]	—
Scarborough	Weight	Weight	Weight	Weight, except cauliflowers and cabbages, sold by tale.	Imperial.	—	—

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Sheffield	Weight	Weight	Weight	English, weight as a rule. Foreign, packages of no guaranteed weight. Retailed by weight.	Imperial		Suggests urging upon local authorities the desirability of abandoning local or customary weights and measures. One universal system would prove an incalculable boon to the trading community. Bean meal - 16 stones per bag. Indian meal - „ „ Pea meal - „ „ Split pea, common - „ „ Beans, best - „ „ Wheatmeal - „ „ Hen barley - „ „ Barley meal - 15 stones per bag. Split beans, common - „ „ Fine sharps - 14 stones per bag. Coarse sharps - 10 „ „ Bran - 8 „ „ Crushed oats - 12 „ „ Small Indian oats - 17 & 2 „
Somerset	Measure and weight, frequently by weight; that is, if a bushel does not weigh a given weight it is made up to it (62 lb. = bushel).	*See* "Wheat," 52 lb. to 56 lb. = bushel.	*See* "Wheat," 34 lb. to 48 lb. = bushel.	Measure and weight, mostly by weight. Greens - - - tale. Apples, 6 score to the bag.	Imperial		Includes 15 divisions of the county. When by measure, the purchaser generally asks the seller the weight, by which he gauges the price.
Southampton	Measure and weight	Measure and weight	Measure and weight	Measure and weight	Imperial.	—	—
Shields, South	Weight only (not by measure).	*See* "Wheat"	*See* "Wheat"	Potatoes - - - weight Turnips - - - „ Apples - - - „ Onions, &c. - - „ Cabbages, &c. - - tale. Small fruit - - measure.	Imperial.	—	—
Southport	Weighed bushels (70 lb. = bushel).	Weighed bushels (60 lb. = bushel).	Weighed bushels (45 lb. = bushel).	Weight	Imperial.	—	—

Staffordshire: Burton-on-Trent District.	Quarter of 504 lb., or bushel of 73 lb. (measured weight).	Quarter of 448 lb. (measured weight).	Quarter of 336 lb. (measured weight).	Potatoes, strike of 80 lb. or peck of 20 lb. Damsons and plums, peck of 18 lb. Apples and onions, peck of 16 lb. Gooseberries and currants, imperial weight.	- - - -	*See* "Vegetables and Fruit."	Beans per quarter of 532 lb. Peas per quarter of 504 lb.
Wolverhampton District.	Quarter of 504 lb., or bushel of 72 lb.	Quarter of 448 lb., or bushel of 56 lb.	Quarter of 336 lb., or sack of 196 lb.	Potatoes, bag of 180 lb. - - Damson, pot of 90 lb. Apples, pot of 75 lb. Gooseberries and currants, pot of 63 lb. Potatoes, sometimes by pot of 84 lb.	- - - -	*See* "Vegetables and Fruit."	Beans and peas, by bag of 196 lb.
Lichfield District	Quarter of 504 lb., or bushel of 62 lb.	Quarter of 448 lb. or bushel of 56 lb.	Quarter of 336 lb., or sack of 176 lb.	- - -	- - - -	- - - -	Beans and peas, by bag of 196 lb.
Stourbridge District -	Quarter of 504 lb., or bushel of 62 lb.	Quarter of 448 lb., or bushel of 56 lb.	Bushel of 39 lb. Bags of 312 lb. to the quarter.	—	—	—	—
Staffordshire (Stoke-on-Trent District).	Sold by the bag. Each bag contains a certain number of lbs., varying according to the particular market and according to the kind.	*See* "Wheat" -	*See* "Wheat"	Weight. Farmers and country people often sell fruit by measure.	Imperial	Potatoes are often sold by the load = 252 lb. Damsons and stone fruit by the pot = about 90 lb. Bark is always sold by long weight.	In North Staffordshire the practice varies in different localities. Corn is always sold by the bag, but a bag is understood to contain a certain number of pounds. The number of pounds a bag does contain is fixed according to the customary standard of the particular market, and each kind of corn has its own particular weight per bag; thus, a bag of bran purchased at Stoke would weigh 100 lb.; at Stafford 112 lb.; and the weight of a bag of wheat would also be different. Attached is a ticket showing the weight given at Stoke-on-Trent; other markets would not tally with it.

Sacks.		
	Beans	240 lbs.
	Indian Corn	240 ,,
	Split ,,	240 ,,
	Oats	200 ,,
	Rolled Oats	200 ,,
	Bran	100 ,,
1	Sharps	150 ,,
	Oatmeal	240 ,,
	Peas	240 ,,
	Peameal	240 ,,
	Barley	240 ,,
1	Indian Meal	240 ,,
	Wheat	220 ,,
	Dari	240 ,,
	Linseed	112 ,,
	Flour—Best	220 ,,
	,, —Seconds	220 ,,

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Stafford, Borough	Measure and weight.	11 score 4, allowing 4 lb. for bag.	10 score 4, allowing 4 lb. for bag.	Measure and weight	Imperial.	—	—
Stockport	Weight; farmers, 14 and 16 score per load; corn-dealers, 12 score per load.	Weight; 12 score per load.	45 lb. per measure (bushel); measured weight.	Potatoes - 252 lb. per load Onions - 240 lb. „ Carrots - „ „ Apples - 14 lb. per peck Pears - 16 lb. „ Plums - 18 lb. „	Imperial.	—	—
Stockton-on-Tees	By boll, but to contain so much Imperial weight.	*See* "Wheat"	*See* "Wheat"	Vegetables, bunches or dozens Fruit, weight.	Imperial	Barrels, sieves, &c., are only used for foreign produce and vary very much; Dutch sieves, from 14 lb. to 42 lb.	—
Sunderland	Weight; in sacks, 18 stone each; two sacks = 504 lb., called a quarter.	Weight; in sacks, 16 stone each; two sacks = 448 lb., called a quarter.	Weight; in sacks, 12 stone each; two sacks = 336 lb., called a quarter.	Chiefly by weight; summer fruit sold by measure; many articles sold by tale.	Imperial		Baskets, barrels, sacks, &c.; contents sold by Imperial measure.
Suffolk (West)	Measure	Measure	Measure				Quality determined by weight.
Surrey:							
District A. (Kingston-on-Thames).	Measure and weight	Measure and weight	Measure and weight	Measure and weight	Imperial	Baskets are used for vegetables, representing bushels and ½ bushels.	—
District B.	By bushel of varying weight according to quality. 58 lb. to 64 lb. = reputed bushel.	*See* "Wheat" 50 lb. to 56 lb. = reputed bushel.	*See* "Wheat" 30 lb. to 44 lb. = reputed bushel.	Measure and weight	Imperial	Hard fruit, such as apples, &c., is sold in "sieves," which are almost equivalent to a bushel. Soft fruits sold in sieves = ½ bushel.	—

District C. (Guildford).	Measure and weight, but principally by measure.	*See* "Wheat" -	*See* "Wheat" -	Measure and weight - -	Imperial.	—	—
District D. (Dorking).	Sometimes by measure, sometimes by weight, at 62 lb. and 63 lb. per bushel.	Almost invariably sold by measure.	Almost invariably sold by measure.	VEGETABLES: Wholesale - - Weight Retail - - - Measure. FRUIT: Hard fruit - Measure generally. Soft fruit - - Weight.	Imperial - - -	Coomb = 4 bushels - Sack of potatoes is reckoned to be 3½ cwt. Butchers sometimes use the stone of 8 lb.	It would seem that both farmers and corn merchants are agreed in thinking it would be advantageous to the trade generally if they were compelled to buy and sell by weight only, owing to the great difference in a bushel of the same corn from, say, two different crops.
Sussex, East - -	Measure and weight; when by measure, guaranteed such a weight as a rule. (Farmers sell by measure.)	*See* "Wheat" -	*See* "Wheat" -	Measure and weight; measure as a rule, but at Hastings, Brighton, and Eastbourne, mostly by weight.	Imperial; sometimes by the hundredweight.	Wicker baskets used by farmers in measuring green hops from the bins of those persons who are engaged in hop-picking. The basket will hold 10 gallons. As hops lose weight by process of drying, 8 gallons is reckoned as basket. Constant disputes arise.	Greengrocers wish it was the law that all vegetables and fruit should be sold by weight.
Sussex, West - -	Measure and weight; chiefly by measure.	*See* "Wheat" -	*See* "Wheat" -	Measure and weight - -	Imperial.	—	—
Tynemouth - -	Measured weight (36 stones = quarter).	Measured weight (32 stones = quarter).	Measured weight (24 stones = quarter).	Vegetables - - - tale Fruit - Measure and weight.	Imperial - - -	- - - -	Farmers of the district carry their produce to the Newcastle Corn Market for sale. Oats sold for the use of cattle in the borough are sold in sacks of 12 stones, or 112 lb. and 56 lb.
Walsall - - -	Weight; in bags containing 186 lb., or 3 bushels, at 62 lb. per bushel.	Weight; in bags containing 196 lb., or 3½ bushels, at 56 lb. per bushel.	Weight; in bags containing 156 lb., or 4 bushels, at 39 lb. per bushel.	Weight - - - - -	Imperial - - -	Potatoes, by the bag of 1½ cwt.	—

APPENDIX, No 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued.*							
Warrington	Measured weight (70 lb. = bushel).	Measured weight (60 lb. = bushel).	Measured weight (45 lb. = bushel).	Vegetables - - weight Fruit, measure and weight.	Imperial	252 lb. = load of potatoes 110 lb. = hamper of turnips or carrots. 108 lb. = hamper of damsons or gooseberries. 84 lb. = hamper of apples. 96 lb. = hamper of pears. 130 lb. = barrel of apples. 10 lb. to 50 lb. = sieve of plums or black currants. 1½ lb. = quart of damsons, gooseberries or plums.	—
Warwickshire (Hemlingford and Knightlow Hundred).	Measured weight (9 score, 10 lb.)	Measured weight (11 score, 8 lb.)	Measured weight (9 score).	Weight: Potatoes, 80 lb. - per bushel. Pears, 72 lb. - „ Apples, 64 lb. - „	Imperial	Green peas and beans are sold per pot of 40 lb. Foreign apples per barrel, but no weight or measure stated.	Suggests advisability of making it compulsory to sell by weight. A few small shopkeepers only sell fowl corn in small quantities by measure.
(Warwick Division)	Measured weight 496 lb. = quarter, or 62 lb. = bushel.	Measured weight (448 lb. = quarter).	Measured weight (312 lb. to 360 lb. = quarter).	Weight: Potatoes, 80 lb. - per pot or bushel. Onions, 64 lb. - - „ Beans (in pods), 40 lb. „ Peas (in pods), 40 lb. „ Brussel sprouts, 40 lb. „ Plums, 72 lb. - - „ Pears, 72 lb. - - „ Apples, 64 lb. - - „ Gooseberries, 64 lb. „ Currants, 63 lb. - „ Cherries, 63 lb. - „	- - - -	- - -	Beans and peas are sold at 524 lb. per quarter, or 196 lb. per bag of 3 bushels.
West Ham	Measure - -	Measure - -	Measure representing a certain weight.	Measure and weight - - -	Imperial; also coombs, barrels, sieves.	Coomb - = 4 bushels Barrel - = 112 lb. Sieve - = 1 bushel.	—
Westmorland	Measure and weight. The measure used generally is the local measure known as the Carlisle bushel. This contains 3 Imperial bushels and 9 stone in weight.	*See* "Wheat" -	*See* "Wheat" -	Vegetables, sold in bulk; fruit, measure and weight.	Imperial, except the Carlisle bushel, which is used in the sale of corn.	Carlisle bushel = 3 Imperial bushels.	—

	(70 lb. = bushel).	(60 lb. = bushel).	(45 lb. = bushel).	Vegetables - - per cwt. Potatoes, by bushel (84 lb.) Fruit, such as berries, currants, &c., per dozen of 21 lb. Apples, pears, &c., per score of 20 lb. Peas, per bushel of 60 lb.	- - - -	(Return states "not used," but *see* "Cheese" and "Butter" in last column).	Malt - 36 lb. = bushel. Cheese, per cwt. of 120 lb. Butter, per lb. of 16 or 17 oz.
Wilts (Northern Division).	Corn is generally by weight, irrespective of measure. Estimated pounds per bushel: thus, if contract was oats at 40 lb. per bushel, then 400 lb. would represent 10 bushels, irrespective of measure.	*See* "Wheat" -	*See* "Wheat" -	Potatoes - - - weight Carrots - - - " Turnips - - - " Apples - - - measure Strawberries - - " Plums - - - " Cherries, &c. - - "	Imperial.	—	—
(Trowbridge Division).	Weight - -	Weight - -	Weight - -	Usually by weight. Peas by measure.	Imperial - - -	- - - -	Corn, wheat, and oats are never sold by measure; the buyer inquires the weight of a sack, supposed to be 4 bushels, and then buys the corn at per sack at a certain weight. At Swindon wheat is sold at a standard of 62 lb. per bushel; this appears to be the practice at Swindon only. Hence, in the same market, the so-called sack of 4 bushels is most uncertain and indefinite as to quantity.

The following seeds appear to be sold wholesale, at the following standards of weight per bushel:—

Peas - - -	63 lb.	per bushel.
Maize - - -	60 lb.	"
Haricot beans - -	63 lb.	"
Canary seed - -	56 lb.	"
Hemp seed - -	42 lb.	"
Rape seed - -	52 lb.	"
Linseed - - -	52 lb.	"
Millett - - -	52 lb.	"

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
ENGLAND—*continued*.							
Wolverhampton	Weight, though nominally by measure, as in last column.	*See* "Wheat"	*See* "Wheat"	Weight	Imperial	Potatoes, by the pot of 90 lb. net. Potatoes, by the bag of 180 lb.	Wheat, by the bushel of 72 lb. Barley, by the bag of 200 lb. gross. Barley, by the quarter of 448 lb. net. Oats, by the quarter of 160 lb. gross. Oats, by the quarter of 200 lb. gross.
Worcestershire	Weight	Weight	Weight.	—	—	—	—
Yarmouth, Great	Weight	Measure (principally).	Weight (principally).	Potatoes — weight Apples — ,, Turnips — ,, Raspberries — weight and measure. Strawberries — ,, Currants — ,, Plums — ,, Peas — ,, French beans — ,,	Imperial	Barley is sold by the coomb generally; wheat and oats occasionally; 4 Imperial bushels = coomb. The weight of a coomb varies according to the quality of grain.	—
York (East Riding)	Nominally by measure, prices being quoted per quarter of 8 bushels; but really by weight. The almost universal practice in the district is to weigh corn in sacks (two to the quarter), the net weight per sack being as shown in last column. Occasionally in the parts bordering on the West Riding, and for West Riding markets, wheat is weighed in 3 bushel bags, or loads of 13½ stones: this for greater facility of handling. Foreign grown wheat is sold in quarters of 480 lb. A quarter of English wheat is 504 lb.	*See* "Wheat"	*See* "Wheat"	Weight (per stone), except foreign fruit, packed abroad in *baskets*, which are sold in the local markets unpacked and unweighed at so much per basket. The actual net weight of a basket of foreign fruit sold in this way is from 1 stone to 3 or 4 stones. Potatoes sometimes sold per sack of 8 stone.	—	—	Net weight per sack:— Wheat (English grown) 18 stones. Barley — 16 ,, Oats — 12 ,, Peas — 18 ,, Peas — 19 ,, in some markets. Beans — 19 stones.

York (North Riding) -	Weight - - (invariably).	Weight - - (invariably).	Weight - - (invariably).	Weight - - - - - - (invariably).	Imperial.	—	—
York (West Riding) (18 Divisions).	Weight - -	Weight - -	Weight - -	Vegetables : — Generally by weight and bulk ; peas, measure. Fruit :—Measure and weight ; foreign fruit sometimes sold by wholesale, by barrel, or sieve, of varying weight.	Imperial ; and *see* next column.	Potatoes sold by load of 18 stones in Sheffield Division. Foreign fruit sold in sieves and barrels have no equivalent, there not being two of the same weight.	—
York, City - -	Bushel = 4½ stones	Bushel = 4 stones	Bushel = 3 stones	By weight, except strawberries ; potatoes by score of 21 lbs., and tub of 20 stones.	"Mudd" for apples, "barrel" for grapes, currants by sieve, 24 to 42 lbs.	—	—
SCOTLAND :							
Aberdeenshire - -	Measured weight	Measured weight	Measured weight	Measure and Weight - Roots - - - weight Fruit - - - measure	Imperial - - -	- - - -	Generally oats and barley are nominally sold by measure, but the price and quality are determined by weight. No

consignment is really measured. One bushel only is measured and weighed to determine quality ; then the whole consignment is valued according to the weight of the bushel which had been measured and weighed before taking delivery. The seller represents, for instance, that he has 20 quarters ; the buyer then carefully measures and weighs *one* bushel, and finds it, say, 42 lb. Two bags represented to contain 4 bushels each are then selected by the buyer (generally not from the same cart or other conveyance), and if these two bags weigh (deducting the weight of the bags) 336 lb., the buyer counts that a quarter, and weighs an occasional bag as the consignment is being delivered, to ascertain if the bags are of equal weight. If the bags first weighed, and the others weighed during delivery stand the full weight represented, the buyer pays the seller the exact price agreed upon. If the bags weigh more, the buyer pays for the excess ; and if they weigh less, he deducts from the price agreed upon, unless the seller makes up in quantity for deficiency in weight. Retail dealers buy corn, &c., in the way above described, and sell out in small quantities by weight only. Price of grain fixed by the weight per imperial bushel.

Aberdeen, City - -	Measure - -	Measure - -	Measure - -	Potatoes - - weight Carrots - - - „ Turnips - - - „ Rhubarb - - „ Carrots - - - tale Oranges - - box Apples - - - barrel Grapes - - - „ Grapes, retail - - weight Berries - - - „ Berries, retail - - measure Dried fruits - - weight	Imperial - - -	- - - -	Price of grain fixed by the weight per imperial bushel.
Anstruther Easter -	Measure - -	Measure - -	Measure - -	Weight, berries by measure.	—	—	—
Arbroath - - -	Measured weight (62 lb. per bushel).	Measured weight (54 lb. per bushel).	Measured weight (40 lb. per bushel).	Vegetables - - bulk Fruit - - - weight Fruit, retail - - measure	Imperial - - -	Coal is sold in barrels and ½ barrels of 1 cwt., 2 qr. cwt., and 3 qr. cwt. respectively.	—

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
SCOTLAND—*continued*.							
Argyllshire (3 Districts)	Weight	Weight	Measure and weight. By measure, boll of 6 bushels. By weight, 240 lb. = boll, and by stone.	Potatoes, bag of 16 stones, or barrel of 12 stones. Cabbages - tale Turnips - weight Carrots - " Fruit - "	Imperial, but *see* next column.	Barrel of 12 stone is chiefly used.	No grain sold in these districts.
Ayrshire	Weight	Weight	Weight	Weight; in retail, sale by measure and tales also.	Imperial, except for currants and berried fruits, the Scotch pint is sometimes used.	Scotch pint = 3 imperial pints.	—
Ayr Burgh	By 4 bushels of 60 lb. (= 240 lb. per boll).	By quarter of 448 lb., or 8 bushels of 56 lb. *Note.*—If grain is below the weight, it requires "to be made," and *vice versâ*.	Bushel, from 34 lb. to 46 lb. (*see* note under Barley).	Carrots - weight Turnips, &c. - " Leeks - tale. Cabbage - " Lettuce, &c. - " Gooseberries - measure. Currants - " Apples - weight. Peas - " Plums - "	Imperial.	—	—
Banff	Measure	Measure	Measure	Measure and weight Apples - weight. Berries - measure.	Imperial, except for berries sold by the old Scotch pint.	Scotch pint = 12 gills imperial measure.	Price of grain fixed by the weight per bushel.
Buteshire	Measured weight when sold for seed, by bushel measure. *See* also last column.	*See* "Wheat"	*See* "Wheat"	Strawberries - weight Grapes - " Parsley - " Peas in pod - " Carrots - " Turnips - " Potatoes, &c. - " Cabbages - Tale Savoys, &c. - " Leeks - per bunch	Imperial	—	240 lb. of wheat, 320 lb. of barley, and 240 lb. of oats is called a boll. The local boll of oats (240 lb.) is getting obsolete; what is called the Glasgow "boll" (264 lb.) is now being mostly used. The boll of wheat is understood to be equal to 4 bushels. The boll of barley and the boll of oats are understood to be equal to 6 bushels.
Caithness-shire	Weight	Weight	Weight	Weight	Imperial.	—	—
Campbeltown	Measure and Weight.	*See* "Wheat"	*See* "Wheat"	Weight, berries and currants by measure.	—	—	—

Clackmannanshire -	General practice is to sell by weight; first measured by bushel, and then weighed.	*See* "Wheat" -	*See* "Wheat" -	Potatoes - - weight Turnips - - - " Onions - - - " Carrots - - - " Leeks - according to size Greens - " " Cabbage - " " Fruit by weight, except oranges, &c.	Imperial.	— —
Dumbartonshire - -	By Imperial standard weights and measures.	*See* "Wheat" -	*See* "Wheat" -	Fruit - - - weight Vegetables - occasionally by tale.	Imperial.	— —
Dumbarton - - -	Weight - -	Weight - -	Weight.	—	—	— —
Dumfriesshire - -	Weight - -	Weight - -	Weight - -	Vegetables - in bulk and by weight. Fruit - - - by weight except soft fruit sold by old Scotch pint.	Imperial - -	Scotch pint = 2 Imperial quarts. —
Dundee - - -	Measured weight at an agreed weight per bushel.	*See* "Wheat" -	*See* "Wheat" -	Weight, except berries; retail, by measure.	Imperial.	— —
Dunfermline - -	Measured by bushel and then weighed.	*See* "Wheat" -	*See* "Wheat" -	Some by weight and some by quantity, as greens and cabbage.	Imperial.	— —
Edinburgh, County -	Measured weight (weight per bushel stated).	*See* "Wheat" -	*See* "Wheat" -	Weight principally; but berries retailed in baskets averaging 1 lb.	Imperial.	— —
Edinburgh, City - -	Measure and weight. By quarter, at so much weight per bushel (natural weight).	*See* "Wheat" -	*See* "Wheat" -	Measure and weight - - Vegetables and roots, by tale; or by baskets of 12 or 6 quarts; or by weight. Hard fruit, by baskets as above. Small or soft fruit, by measure or weight.	- - -	All baskets and vessels used for fruit, &c., are legibly branded, stamped, or painted with words and figures denoting contents in Imperial measure. —
Elginshire - - -	Measure and weight 62 lb. = 1 bushel.	Measure and weight 54 lb. = 1 bushel.	Measure and weight 42 lb. = 1 bushel.	Measure and weight; and by 1 *d.* and 6 *d.* worth.	Imperial - - -	Barrels for the sale of coal: 1 barrel = 1 cwt. Lippies are occasionally used for sale of small quantities of carrots and potatoes: 4 lippies = 1 peck. 1 *s.* extra for every lb. per bushel in excess of: 62 lb. per bushel - Wheat, 54 lb. " Barley, 42 lb. " Oats, and 1 *s.* less per bushel when under. *See* "Forres."

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued*.

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
SCOTLAND—*continued*.							
Fifeshire - - -	Measure (quarter)	Measure (quarter)	Measure (quarter)	Vegetables - - tale Fruit - - - weight	Imperial.	—	—
Forfarshire - -	Measured weight (62 lb. = standard).	Measured weight (54 lb. = standard).	Measured weight (40 lb. = standard).	Weight - - - - - -	Imperial - - -	Milk measures are used containing 3 Imperial gills, 6 Imperial gills, 12 Imperial gills.	—
Forfar, Burgh - -	By weight, per Imperial bushel.	*See* "Wheat" -	*See* "Wheat" -	Weight; vegetables sometimes sold by tale; and berries and currants sometimes by Scotch pint.	Imperial, but Scotch "choppin" of 6 gills is used by small retailers.	For fruit, Scotch pint = 12 Imperial gills, "choppin" or "chappen," = 6 gills.	—
Forres - - -	Measure and weight combined (62 lb. = 1 bushel).	*See* "Wheat" - (54 lb. = 1 bushel).	*See* "Wheat" - (42 lb. = 1 bushel).	Vegetables, 1*d*. or 6*d*. worth; roots and fruit, measure and weight.	Imperial - - -	- - - -	1*s*. per quarter additional for every lb. per bushel in excess of 62 lb. per bushel wheat, 54 lb. per bushel barley, 42 lb. per bushel oats, and 1*s*. deducted for every lb. under.
Galashiels - - -	Weight principally; sometimes by Imperial bushel, but the measure is very seldom used.	*See* "Wheat -	*See* "Wheat" -	Weight - - - - - -	Imperial.	—	—
Glasgow - - -	Weight (240 lb. = boll).	Weight (320 lb. = boll).	Weight (264 lb. = boll).	Weight; in summer, gooseberries retail by measure and money's-worth.	Imperial, hundredweight not used.	Apples, per sleek of 40 lb. Pears ,, 50 ,, Plums ,, 60 ,, (Equivalents in Imperial measure not known.) Foreign apples by the barrel of no stated weight.	—

Greenock - - -	Weight - -	Weight - -	Weight - -	Weight generally - - -

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued.*

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
SCOTLAND—*continued.*							
Inverness-shire	Measured weight (62 lb. = bushel).	Measured weight (54 lb. = bushel).	Measured weight (42 lb. = bushel).	Weight	ditto	Barrel, equivalent to 2 cwt., is sometimes used in remote parts of the district.	—
Kincardineshire	Measure and weight	Measure and weight	Measure and weight	Potatoes, by weight; fruit, measure and weight.	Imperial.	—	—
Kinross-shire	Measure and weight combined.	*See* "Wheat"	*See* "Wheat"	Weight, mostly	Bushel and lippy, with Imperial weights.	—	—
Kircudbrightshire	Measured weight (62 lb. = bushel).	Measured weight (56 lb. = bushel).	Measured weight (42 lb. = bushel).	Measure and weight. In small quantities, per 1 *d.*, 2 *d.*, &c., worth.	Imperial	per Imperial bushel, a definite weight being named at time of purchase; with a stated sum per lb., up and down.	Wheat, barley, and oats are sold at a fixed price
Lanarkshire	Weight per boll of 240 lb.	Weight per boll of 320 lb.	Weight per boll of 264 lb.	Weight, except berries (by measure).		*See* "boll" Apples per sleek of 40 lb. Pears „ „ 50 „ Plums „ „ 60 „	There is no measure of a "sleek" in use; it is a term used in the trade.
Leith	Measured weight (504 lb. = quarter).	Measured weight (448 lb. = quarter).	Measured weight (336 lb. = quarter).	Weight	Imperial		Corn sold in Leith is almost entirely imported corn, not home grown. 480 lb. = quarter of maize. 504 „ = „ beans. 520 „ = „ peas. There is no local vegetable market.
Linlithgow	Weight per bushel				Imperial		Farmers sell to grain merchants (Linlithgow) by bushel, but grain merchants sell by weight.
Orkney	Measure and weight combined. Bushel measure used and price fixed per quarter according to weight per bushel.	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial	The term "barrel" still lingers in the county, as applied to coal and potatoes: Coal - 2 cwt. Potatoes - 187 lb.	Bere sold by weight and measure combined.

Nairn	Imperial quarter, 60 lb.	Imperial quarter, 54lb. to bushel.	Imperial quarter of 42 lb. per bushel.	Weight and measure	-	No local or customary measures used.	—
Paisley	Weight	Weight	Weight	—	—	—	—
Peeblesshire	Measure and weight	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial.	—	—
Perthshire	Weight	Weight	Weight	Potatoes, weight. Small fruit sometimes sold by the Scotch pint, and sometimes by weight. Large fruit by weight.	*See* "Vegetables and Fruit."	Scotch pint (4 gills Scotch) = 12 gills Imperial.	—
Perth, City	Bushel of a given weight.	*See* "Wheat"	*See* "Wheat"	Weight	-	-	The word "bushel" is only used to mean quantity and quality required (a weighed bushel), so, properly speaking, it is sale by weight.
Renfrewshire	Measure and weight	Measure and weight	Measure and weight	Weight	Imperial	A sleek represents 40 lb. of apples, 50 lb. of pears, or 60 lb. of plums. Barrel of apples (American) represents in weight about 10 stones (but none of these were in general use).	—
Ross and Cromarty	Weight	Weight	Weight	Measure	Imperial.	—	—
Selkirkshire	Measure (quarter)	Measure (quarter)	Measure (quarter)	Weight	Imperial.	—	—
Stirlingshire	Weight per quarter	Weight per quarter	Weight per quarter	Fruit, as strawberries and gooseberries, in small quantities, per basket. Other fruit and vegetables, mostly by weight. Potatoes are sometimes sold by measure.	Imperial.	—	—
Stirling (Market)	Quarter	Quarter	Quarter	-	Imperial	-	In Stirling Market sample bags must contain not more than four Imperial bushels.
Sutherlandshire	[No wheat grown]	Measure and weight	Measure and weight	Weight	Imperial.	—	—
Wigtownshire	Imperial weight	Imperial weight	Imperial weight	Weight	Imperial.	—	—

APPENDIX, No. 2.—SUMMARY of Returns from the principal Inspectors of Weights and Measures as to the Sale of Corn, July 1891—*continued.*

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
WALES:							
Breconshire	Measure at per weight, *i.e.* per quarter of so much weight.	*See* "Wheat"	*See* "Wheat"	Measure and weight (mostly by weight).	Imperial.	—	—
Cardiff	Measured weight (61 lb. = bushel).	Measured weight (56 lb. = bushel).	Measured weight (38 lb. = bushel).	Weight	Imperial		The inspector attends corn market every market day.
Cardiganshire:							
Cardigan Division	Measured weight, but small quantities by measure (64 lb. = bushel).	*See* "Wheat" (54 lb. = bushel).	*See* "Wheat" (40 lb. = bushel).	Measure and weight, and tale	Imperial.	—	—
Second Division	Measured weight (although measured by the bushel before sale, for old practice sake).	*See* "Wheat"	*See* "Wheat"	Measure and weight	Imperial.	—	—
Carmarthenshire	Measure and weight	*See* "Wheat"	*See* "Wheat"	Vegetables, weight Fruit, measured and weight.	Imperial.	—	—
Carmarthen Borough	60 lb. per bushel (measured weight).	54 lb. per bushel (measured weight).	40 lb. per bushel (measured weight).	Weight	Imperial.	—	—
Carnarvonshire	Measure and weight	Measure and weight	Measure and weight	Measure and weight	Imperial	Lime is sold in some places by a measure called a "Llestr," the equivalent of which is 1 bushel.	

	75 lb. to the measure.	70 lb. to the measure.	46 lb. if from farmer, 45 lb. if from corn dealer, to the measure.			
Flintshire:					Hobbets:	
Flintshire proper -	168 lb. = hobbet; also by ordinary weight.	147 lb. = hobbet; also by ordinary weight.	105 lb. = hobbet; also by ordinary weight.	Weight - - - - - -	Hobbet of old potatoes = 200 lb. Hobbet of new potatoes = 210 lb.	*See* "Note" - - -
Detached portion of county, called "Hundred of Maelor," bordered by Cheshire, Shropshire, and Denbighshire.	75 lb. = "measure"	70 lb. = "measure"	50 lb. = "measure"	Weight - - - - - -	"Measures."	
Glamorganshire - -	Weight per bushel (62 lb. = bushel).	Weight per bushel (50 lb. = bushel).	Weight per bushel (38 lb. = bushel).	Weight mostly; cabbages, tale	Imperial - - -	- - - -
Merionethshire -	Measure and weight, generally weight.	*See* "Wheat" -	*See* "Wheat" -	Measure and weight - -	Imperial.	—
Montgomeryshire -	Weight - -	Weight - -	Weight - -	Measure and weight - -	Imperial.	—
Pembrokeshire - -	Measure and weight; merchants buy by weight (62 lb. to 64 lb. = bushel). In markets sometimes by measure, then the "Imperial Winchester" is used.	*See* "Wheat" - (54 to 56 lb. = bushel.)	*See* "Wheat" - (38 to 40 lb. = bushel.)	Weight - - - - - -	Imperial.	—
Radnorshire - -	Measure and weight	Measure and weight	Measure and weight	Measure and weight - -	Imperial - - -	240 lb. generally termed "1 sack."
Swansea - - -	Imperial weight and measure. Bushel = 60 lb. - Bag = 240 lb. -	*See* "Wheat" - Bushel = 50 lb. - Bag = 200 lb. -	*See* "Wheat" - Bushel = 38 lb. Bag = 190 lb	Measure and weight - - Peas - - - Measure. Berries - - - "	Imperial - - -	The Imperial bushel is sometimes called a "Winchester" by the farmers.

Flintshire:	
Flintshire proper -	The term "hobbet" is largely used in Flintshire (proper) for the weights specified for grain, while the term "measure" is used similarly in the Hundred of Maelor. In Flintshire the number of lbs. to the "hobbet" for the sale of potatoes varies according to the season of the year; thus it is represented by a greater number of pounds for new than old potatoes. The whole system, however, results in a legitimate sale by weight.
Detached portion of county, called "Hundred of Maelor," bordered by Cheshire, Shropshire, and Denbighshire.	
Glamorganshire - -	Includes five divisions of the county.
Merionethshire -	—
Montgomeryshire -	—
Pembrokeshire - -	—
Radnorshire - -	—
Swansea - - -	—

APPENDIX No. 2—*continued.*

IRELAND.

THE following is a Summary of Returns received from One hundred of the Principal *ex-officio* Inspectors of Weights and Measures in Ireland, during March 1891.

THE practice in Ireland as to sale by weight appears to be so uniform that it has been considered to be unnecessary to state the particulars for each county and town.

	Sale by Weight or Measured Weight.	Sale by Measure.	Sale by Tale or Bulk.
Wheat	* 96	4	—
Barley	93	7	—
Oats	96	4	—
Vegetables	† 73	27	‡ 44
Fruit	§ 51	‖ 49	¶ 28

* Thus 96 per cent. of the wheat is sold by weight, and only 4 per cent. by measure.
† Mostly potatoes, turnips, and onions.
‡ Mostly cabbages, as by "score," and "load."
§ Mostly strawberries.
‖ Mostly gooseberries and currants.
¶ Mostly apples, as by the "hundred" of 120.

Note.—There is no sale by measured weight, or by weight and measure combined, excepting so far as the sale by the barrel of so many stones. The "barrel" in Ireland is stated to be not used as a measure of capacity, but as a weight. The stone is the imperial stone of 14 pounds.

DENOMINATIONS of Weights and Measures used.

Imperial weights and measures are always used, excepting in the following few instances where the local equivalent in Imperial measure or weight has been stated.

The denominations of imperial weights and measures commonly used are,—

Weights.—Tons.
Hundredweights.
Stones.
Pounds.

Measures.—Bushels.
Quarts.
Pints.

The stone (of 14 lbs.) is extensively used for all kinds of grain and agricultural produce.

The following local and customary measures are used:—

Bag.—Apples, Armagh (1 cwt.).

Barrel (weight of,—

	Wheat.	Barley.	Oats.	Potatoes.
Carlow	20 stones	14 stones	16 stones	24 stones.
Cork	20 ,,	16 ,,	14 ,,	—
Kildare	20 ,,	16 ,,	14 ,,	—
Kilkenny	20 ,,	16 ,,	14 ,,	20 stone.
Leitrim	—	—	28 ,,	—
Leitrim	—	—	24 ,,	—
Longford	—	—	14 ,,	—
Louth	20 stones	16 ,,	14 ,,	—
Meath	20 ,,	16 ,,	14 ,,	20 stone.
Roscommon	20 ,,	16 ,,	14 ,,	—
Tipperary	20 ,,	16 ,,	12 ,,	24 stone.
Waterford	20 ,,	16 ,,	14 ,,	—
Westmeath	20 ,,	16 ,,	12 ,,	—
Wexford	20 ,,	16 ,,	14 ,,	—
Wicklow	20 ,,	16 ,,	14 ,,	20 stone.

Basket.—Fruit, Cavan = (½ bushel).

Creel.—Apples and pears, Donegal and Mayo = (1 cwt.).

Glass.—Fruit, Fermoy = (½ pint, nearly).

Kesh.—Fruit, Monaghan =(1½ imperial pecks).

NAME OF PLACE.	Whether Sold by Measure or by Weight.				What Weights and Measures are actually used.	Equivalents in Imperial Measure where Local and Customary Measures used.	Notes by the Inspectors.
	Wheat.	Barley.	Oats.	Vegetables and Fruit.			
IRELAND—*continued.*							
Dublin - - -	Quarter of 480 lb., or barrel of 20 stones.	Barrel of 16 stones	Barrel of 14 stones	Measure and weight :— Potatoes by cwt., or by hampers of 12, 8, and 4 stones. Turnips, cwt. Cabbage, load or dozen. Rhubarb, bunches. Seakale, dozen. Cauliflowers, flasket (31 flowers); dozen, or singly. Cucumbers, dozen. Horseradish, bundle. Beetroot, dozen. Grapes, lb. Onions, lb. or case, or bag of about 1 cwt. Pineapples - - dozen Peaches, &c. - - „ Apples, dozen or barrel. Beans and peas, lb. Walnuts - - - weight Dates - - - „ Dried fruit - - „	- - - -	- - - -	Through Metropolitan Police Office, and also through the Markets Committee of the Corporation of Dublin.
Ditto - - -	Home :—Per 280 lb. still called a "Barrel." Foreign : — Per 480 lb. called a quarter.	Per 260 lb. still called a "Barrel."	Per 196 lb. still called a "Barrel."	Wholesale by bulk ; there is no fixed measure. Coarse vegetables loose in carts usually bought by sight. Finer classes by tale.	Imperial.	—	—

APPENDIX No. 3.

PAPER handed in by Mr. *H. J. Chaney.*

UNITED STATES.

Weight of a Winchester Bushel of different Grains, and other Substances, as established by Law in the
by the Clerk of the United States Treasury Department, as presented to the Committee on Coinage, Weights and
n 1889 by the American Metrological Society; and corrected up to date by Mr. W. Almon Wolff, of the American

State or Territory.	Wheat.	Rye.	Oats.	Barley.	Buckwheat.	Indian Corn.	Corn on Cob.	Corn Meal and Rye Meal.	Bran.	Malt.	Potatoes, Irish.	Potatoes, Sweet.	Carrots.	Onions.	Turnips, English.	Beets.
Alabama	60	56	32	47	–	–	70	46	–	–	60	55	–	–	55	–
Arizona	60	56	32	45	–	54	–	–	–	–	–	–	–	–	–	–
Arkansas	60	56	32	48	52	–	–	48	20	–	60	50	–	57	57	–
California	60	54	32	50	40	52	–	–	–	–	–	–	–	–	–	–
Colorado	60	56	32	48	52	56	70	50	–	–	60	–	–	57	–	–
Connecticut	60	56	32	48	48	56	–	50	–	–	60	–	55	50	50	60
Dakota	60	56	32	48	42	–	70	–	20	–	60	46	–	52	60	60
Delaware	60	–	–	–	–	56	–	{ 44 / 48 }	–	–	–	–	–	–	–	–
Florida	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Georgia	60	56	32	47	52	–	70	48	20	–	60	55	–	57	55	–
Idaho	60	54	32	50	40	52	–	–	–	–	–	–	–	–	–	–
Illinois	60	56	32	48	52	–	70	48	20	38	60	55	–	57	55	–
Indiana	60	56	32	48	50	–	68	50	–	–	60	55	–	48	–	–
Iowa	60	56	32	48	52	–	70	–	20	–	60	46	–	57	–	–
Kansas	60	56	32	48	50	–	70	50	20	32	60	50	–	57	55	–
Kentucky	60	56	32	47	56	–	70	50	20	–	60	55	–	57	60	–
Louisiana	60	32	32	32	–	56	–	–	–	–	–	–	–	–	–	–
Main	60	56	32	48	48	–	–	50	–	–	60	–	50	52	50	60
Maryland	–	–	26	–	–	–	–	–	–	–	–	56	–	–	–	–
Massachusetts	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Michigan	60	56	32	48	48	–	70	50	–	–	60	56	–	54	58	–
Minnesota	60	56	32	48	42	56	–	–	–	–	60	–	–	–	–	–
Mississippi	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Missouri	60	56	32	48	52	–	70	50	20	38	60	56	50	57	Common 42	–
Montana	60	56	35	48	52	56	–	50	–	–	60	–	50	57	50	50
Nebraska	60	56	32	48	52	–	70	50	20	30	60	50	–	57	55	–
Nevada	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
New Hampshire	60	56	32	–	–	56	–	50	–	–	60	–	–	–	–	–
New Jersey	60	56	30	48	50	56	–	–	–	–	60	54	–	57	–	–
New York	60	56	32	48	48	58	–	–	–	–	60	60	–	–	–	–
North Carolina	60	56	32	48	50	56	–	48	–	–	–	–	–	–	–	–
Ohio	60	56	32	48	50	–	68	–	–	34	60	50	–	50	60	–
Oklahoma	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Oregan	60	56	36	46	42	56	–	–	–	–	66	–	–	–	–	–
Pennsylvania	60	56	82	47	48	56	–	–	–	–	60	–	–	–	–	–
Rhode Island	–	56	32	48	–	56	–	50	–	–	60	–	–	50	–	–
Tennessee	60	56	32	48	50	–	70	50	20	–	60	50	50	56	50	50
Texas	60	56	32	48	42	–	70	–	20	–	60	55	–	57	55	–
Vermont	60	56	32	48	48	56	–	–	–	–	60	–	50	52	52	60
Virginia	60	56	32	48	52	–	70	50	–	38	60	56	–	57	55	–
Washington	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
West Virginia	60	56	32	48	52	56	–	–	–	–	60	–	–	–	–	–
Wisconsin	60	56	32	48	50	70	–	48	–	34	60	55	50	57	Flat 42	50
Wyoming	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
District of Columbia	60	56	32	–	–	56	–	48	–	–	60	–	–	–	–	–

APPENDIX, No. 3.

PAPER handed in by Mr. *H. J. Chaney.*

UNITED STATES.

different States and Territories of the United States, in Pounds Avoirdupois. Extracted from a Table prepared Measures of the House of Representatives of the Forty-fifth Congress; then corrected to the Year 1879, re-issued Bar.

	Beans.	Peas.	Apples, Peaches, Pears, and Quinces.	Dried Apples.	Dried Peaches.	Castor Beans.	Flax Seed.	Hemp Seed.	Millet Seed.	Timothy Seed.	Blue Grass Seed.	Hungarian Grass Seed.	Clover Seed.	Legislative Enactments.
1	60	60	–	24	33 38	–	–	–	–	–	–	–	–	Acts, 18th February 1891.
2	55	–	–	–	–	–	–	–	–	–	–	–	–	Compiled Laws, 1877.
			Apples											
3	60	60	50	24	33	–	56	–	50	60	14	–	60	Act, 30th March 1887.
4	–	–	–	–	–	–	–	–	–	–	–	–	–	Code and Statutes, 1886.
5	60	–	–	–	–	–	–	–	–	–	–	–	–	General Statutes, 1883.
6	60	60	–	–	–	–	–	–	–	–	–	–	–	General Statutes, 1888.
7	60	60	–	–	–	–	56	–	–	42	–	–	60	Compiled Laws, 1887.
8	–	–	–	–	–	–	–	–	–	–	–	–	–	
9	–	–	–	–	–	–	–	–	–	–	–	–	–	
10	60	Ground 25 60	–	24	38 33	–	56	44	–	45	14	–	60	Code, 1882.
11	–	–	–	–	–	–	56	–	–	–	–	–	–	Act, 12th January 1883; Revised Statute, 1887.
12	60	–	–	24	33	46	56	44	–	45	14	–	60	Law, 1st June 1889.
13	60	–	–	25	33	46	–	44	50	45	14	–	60	Revised Statutes, 1888.
14	60	–	48	24	33	46	56	44	48	45	14	48	60	Revised Code, 1888.
15	60	–	48	24	33	46	56	44	50	45	14	50	60	Laws, 1889.
16	60	Ground 24 60	–	24	39	45	56	44	50	45	14	50	60	General Statutes, 1888.
17	–	–	–	–	–	–	–	–	–	–	–	–	–	Revised Laws, 1884.
			Apples											
18	62	–	44	–	–	–	–	–	–	–	–	–	–	Revised Statutes, 1883, and Acts, 1887.
19	–	–	–	–	–	–	–	–	–	–	–	–	–	Code, 1888.
20	–	–	–	–	–	–	–	–	–	–	–	–	–	
21	60	60	–	22	28	46	56	44	50	45	14	50	60	Annotated Statutes, 1882.
22	–	–	–	28	28	–	–	–	–	–	–	–	60	Statutes, 1891.
23	–	–	–	–	–	–	–	–	–	–	–	–	–	
24	60	60	48	24	33	46	56	44	50	45	14	48	60	Revised Statutes, 1879.
25	60	–	–	–	–	–	–	44	–	45	14	–	60	Compiled Statutes, 1888.
26	60	60	–	24	33	46	56	44	50	45	14	50	60	Statutes, 1891.
27	–	–	–	–	–	–	–	–	–	–	–	–	–	
28	60	60	–	–	–	–	–	–	–	–	–	–	–	General Laws, 1878.
29	60	60	–	25	33	–	55	–	–	–	–	–	64	17th March 1881; Revision, 1877–1886.
30	62	–	–	–	–	–	55	–	–	44	–	–	60	Revised Statutes, 1881.
31	–	60	–	–	–	–	55	–	–	–	–	–	60	Act, 31st January 1885.
32	60	60	48	22	33	–	56	44	50	45	–	50	60	Amended Act, 12th March 1886
33	–	–	–	–	–	–	–	–	–	–	–	–	–	
34	–	–	45	28	28	–	–	–	–	–	–	–	60	Annotated Laws, 1887.
35	–	–	–	–	–	–	–	–	–	–	–	–	62	Digest, 1883.
36	–	–	–	–	–	–	–	–	–	–	–	–	–	
37	60	30 60	48 50 156	24	26	46	56	44	50	45	14	48	60	Act, 1887.
38	60	–	–	28	28	–	56	44	50	45	–	48	60	Act, 10th April 1883.
39	62	60	46	–	–	–	–	–	–	45	–	–	60	Revised Laws, 1880; Laws, 1884.
40	60	60	–	28	40 32	–	56	44	50	45	14	48	60	Code, 1887.
41	–	–	–	–	–	–	–	–	–	–	–	–	–	
42	60	–	–	25	33	–	56	–	–	45	–	–	60	Code, 1887.
			Apples											
43	60	–	57	28	28	–	56	44	50	45	–	48	60	Laws, 1881.
44	–	–	–	–	–	–	–	–	–	–	–	–	–	
45	–	–	–	–	–	–	–	–	–	–	–	–	–	

In addition to the articles named in the foregoing Tables, the following weights per bushel of the following articles are established by law in the States indicated, viz. :—

Coke.—Pennsylvania, 40 pounds to the bushel ; Ohio, 60 pounds to the bushel ; Iowa, 38 pounds to the bushel.

Homing.—Massachusetts, 50 pounds to the bushel ; Ohio, 60 pounds to the bushel.

Pease, ground.—Georgia, 25 pounds to the bushel ; Kentucky, 24 pounds to the bushel.

Parsnips.—Connecticut, 45 pounds to the bushel ; Wisconsin, 44 pounds to the bushel ; Montana, 50 pounds to the bushel.

Ruta-bagas.—Maine, 60 pounds to the bushel ; Connecticut, 60 pounds to the bushel ; Wisconsin, 56 pounds to the bushel.

Mangel Wurzel.—Maine, 60 pounds to the bushel ; Connecticut, 60 pounds to the bushel ; Washington Territory, 50 pounds to the bushel.

Vegetables, not specified.—Rhode Island, 50 pounds to the bushel ; Washington Territory, 60 pounds to the bushel.

Onion top sets.—Virginia, 28 pounds to the bushel ; Nebraska, 25 pounds to the bushel.

Dried Fruit :

Plums.—Michigan, 28 pounds to the bushel.

Peaches, peeled.—Virginia, 40 pounds to the bushel ; Georgia, 38 pounds to the bushel.

Currants, Gooseberries, and Grapes.—Iowa, 40 pounds to the bushel.

Other berries.—Rhode Island, 32 pounds to the bushel ; Michigan, 40 pounds to the bushel ; Iowa, 32 pounds to the bushel.

Chestnuts.—Virginia, 57 pounds to the bushel.

Peanuts.—Virginia, 22 pounds to the bushel.

Seeds.—Broom corn : Iowa, 30 pounds to the bushel ; Dakota, 30 pounds to the bushel.

Cotton.—Georgia, 30 pounds to the bushel ; Missouri, 33 pounds to the bushel.

Osage Orange.—Virginia, 34 pounds to the bushel ; Michigan, 33 pounds to the bushel ; Iowa, 32 pounds to the bushel ; Nebraska, 32 pounds to the bushel.

Rape.—Wisconsin, 50 pounds to the bushel.

Sorghum.—Iowa, 30 pounds to the bushel ; Nebraska, 30 pounds to the bushel.

Orchard grass.—Virginia, 14 pounds to the bushel ; Michigan, 14 pounds to the bushel.

Redtop.—Virginia, 12 pounds to the bushel ; Michigan, 14 pounds to the bushel.

Sand.—Iowa, 130 pounds to the bushel.

Mr. Wolff observes that in some of the States there is no legislation with reference to the sale of corn.

17 July 1891.

APPENDIX, No. 4.

PAPER handed in by Mr. *H. J. Chaney.*

NOTE AS TO THE USE OF WINCHESTER MEASURE, AND HEAPED MEASURE.

WINCHESTER measure is still occasionally referred to in England, but its use is exceptional; for instance, under contracts made before the year 1835, it is occasionally referred to in fixing the rents of farms and premises, based on the average price of corn in a district. Thus, three arbitrators were appointed in Lincolnshire by the Justices at Quarter Sessions, for ascertaining the average price of a Winchester bushel of good marketable wheat in the county of Lincoln, for the 21 years ending 31st December 1884, to form the basis for re-ascertaining the corn rents for the next 21 years. Their report to the justices shewed that this last average was less by 4 *d.* a bushel than the preceding twenty-one years' average; the present being 5 *s.* 11¾ *d.* per bushel, as against 6 *s.* 3¼ *d.*

It may be mentioned that the unit of capacity for cereals in the United States is the old Winchester bushel, the use of which was abolished in this country in the year 1834. The original standard by which the United States measure was determined is still kept and maintained by the Board of Trade at Westminster, and contains 2150·42 cubic inches, or one United States bushel is equal to 0·969447 British Imperial bushel. The unit of capacity for quantities under the bushel in the United States is also the old Winchester gallon, which is the same measure as Queen Anne's standard wine gallon of 1705. It contains 231 cubic inches, and is stated to hold 8·3389 pounds avoirdupois of distilled water at the temperature of 39°·83 Fahrenheit.

It may be added that Winchester measure was so called because the original standard of King Edgar was kept at Winchester, and copies thereof distributed to the principal towns in the kingdom. It was the legal denomination of measure for dry goods in use in the country until the year 1835. By the Act 13 & 14 Will. 3, c. 5, the Winchester bushel is declared to be a round measure with a plain and even bottom, being made 18½ inches wide throughout, and 8 inches deep. Standards of the Winchester measure were constructed and verified under the personal directions of Henry VII; and standard Winchester bushels were also constructed and verified in 1601 by a Commission appointed by Queen Elizabeth, and these several standards are still kept for reference at the Standards Office.

The Act of 1824 enacted that the unit of capacity should be the Imperial standard gallon, containing 10 lb. weight of distilled water at the temperature of 62° Fahrenheit; that eight such gallons should be a bushel, and eight such bushels a quarter of corn, or of other dry goods not measured by heaped measure. The standard measure of capacity for all goods and things commonly sold by heaped measure, was to be the same bushel containing 80 lbs. of water, the same being round, with a plane and even bottom, and being 19½-inches from outside to outside. In the heaping of the bushel, goods and things were to be heaped up in the form of a cone, such cone to be at the height of at least six inches, the outside of the bushel being the extremity of the base of such cone.

By the Act 5 & 6 Will. 4, c. 63 (1835), Winchester measures, and all local and customary measures, were abolished; and so much of any previous Acts as permitted the use of heaped measure was then repealed. The Act of 1835 also provided that whereas some articles heretofore sold by heaped measure are from their size and shape incapable of being stricken, and from their nature and quantity may not be conveniently sold by weight, that henceforth all such articles might be sold by the bushel measure referred to in the Act of 1824, such bushel being filled in all parts as nearly to the level of the brim as the size and shape of the articles sold will admit.

In 1878 both the Acts of 1824 and 1835 were repealed; so much of them as continued the use of the Imperial bushel was re-enacted, but so much as permitted the use of heaped measure was not re-enacted. For the purpose of meeting contracts made with regard to the sale of goods commonly sold by heaped measure before 1835, the Act of 1878 provided that a bushel should be used in the form of a hollow cylinder having a plane base, the internal diameter of which should be double the depth of the bushel measure. In using the measure, however, it was not to be heaped, but was to be stricken with a round stick or roller, straight, and of the same diameter from end to end, or, if the article sold could not from its size and shape be conveniently stricken, then the measure was to be filled in all parts as nearly to the level of the brim as the size and shape of the article would admit. This provision of the Act of 1878 was, however, repealed by the Weights and Measures Act, 1889, as being obsolete.

It may be added that the Act of 1824 was passed in consequence of a Report of the Commissions of Weights and Measures in 1819. By this Report it appears that King Edgar is said to have decreed that the measure of Winchester should be the standard. In Magna Charta, as confirmed by Henry III., the London quarter is established as the legal measure for corn. Oats, malt, and meal were the only kinds of grain permitted to be sold by the heap in the reign of Henry IV. By a rigorous Act of Charles II. in 1670 it was forbidden to sell by any other measure than the Imperial measure.

Respecting the mode of using measures of capacity, it is repeatedly enjoined in ancient enactments (as those of the years 1350, 1640, 1670, 1713) that measures are to be striked, that is, levelled with a strike at the top, and not heaped. It was equally unlawful in measuring corn to shake the bushel, so as to increase its virtual capacity.

Hence, excepting as above stated, Winchester and heaped measure are now illegal, and practically obsolete.

17 July 1891.

APPENDIX, No. 5.

PAPER handed in by Mr. *H. J. Chaney.*

MEMORANDUM on the use of the instruments known as "Corn-hoppers," and "Chondrometers.'

THE CORN-HOPPER.

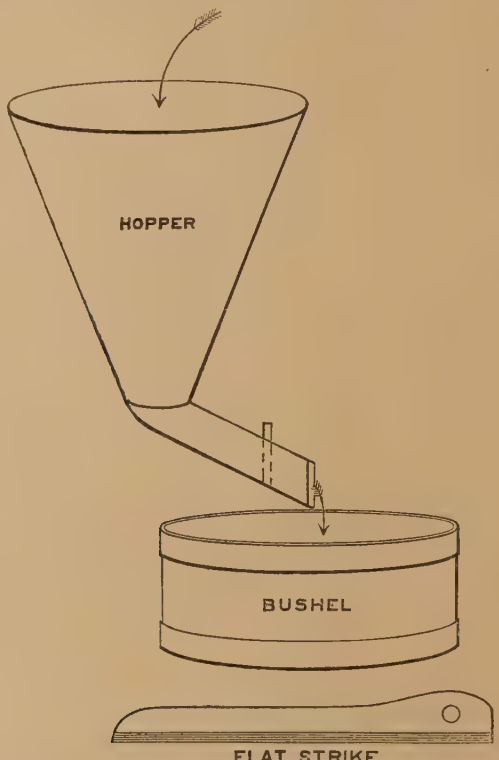
IF we fill a bushel measure, by means only of a shovel or spade, without the use of the "hopper," we do not obtain uniform measure; for the volume or pressure of grain within the measure varies with the height from which the grain is allowed to fall into the measure, and with the mode of "striking." If the grain is allowed to have only a fall of a few inches, is then levelled or struck by a flat piece of wood, or strike; and if the measure is not shaken, or the grain pressed down, we then probably get the least amount of grain within the measure. If the grain is allowed to fall slowly into the measure from a height of nearly three feet above the top of the measure, is then struck or levelled with a round strike or roll, and if the measure is well shaken, we probably then get the maximum volume of grain within the bushel measure.

If we repeat the process of measuring the same volume of grain more than once; or if the grain falls from a greater height than three feet; then the volume of the grain, if it is dry, is practically increased by "heating."

Between the above extremes many diversities of measurement may evidently arise; diversities amounting, perhaps, to 16 per cent. in the weight of grain in a bushel measure.

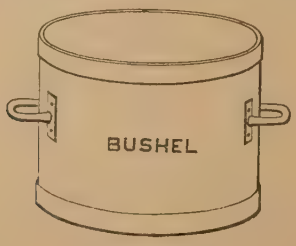
In retail trade, when grain is sold by measure, it is not the custom to give the maximum volume of grain, and complaints as to short measure thereby arise. In wholesale trade, as in the measurement of corn in the market, or for import purposes, it is found to be desirable to regulate the mode of filling the measure, and hence a "hopper" is often used; or some other similar funnel or contrivance through which the grain falls into the measure placed underneath the funnel or hopper.

In the City of London, for instance, a hopper is used of the following form :—

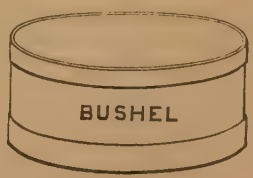


In Scotland, as at Leith, the form of hopper used is similar to that above shown, although of larger capacity, and the fall allowed is greater than in London. In the Edinburgh Corn Market different hoppers are used for wheat, barley, and oats, respectively; the "fall" allowed varying with the kind of grain measured.

The Board of Trade, in their Model Regulations for the use of Inspectors of Weights and Measures (1st January 1890), have required that in testing dry measures of capacity, when grain or seed is used for the purpose of filling the measures, all measures submitted for verification should be of cylindrical form: the internal diameter of the measure being about equal to its internal depth, or the internal



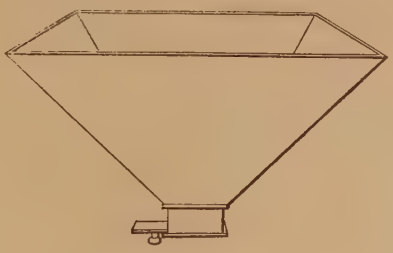
DRUM SHAPE.



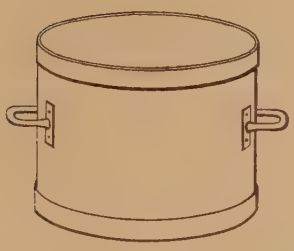
STANDARD SHAPE.

diameter may be about double the internal depth of the measure.

Dry measures, made of wood, when tested by seed, being tested by means of a "hopper" of the form here shown'



Board of Trade Hopper.



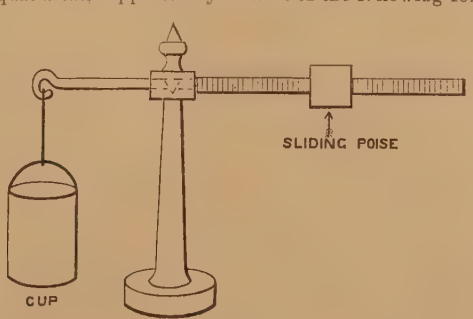
e measure to be tested being placed at a uniform distance of *six* inches from the bottom of the hopper. The pproximate Internal Dimensions, in Inches, of ordinary Dry Measures of Capacity being as follows :—

	Drum Shape.		Standard Shape.	
	Depth.	Diameter.	Depth.	Diameter.
	Inches.	*Inches.*	*Inches.*	*Inches.*
Bushel	$12\frac{7}{10}$	15	$8\frac{1}{4}$	$18\frac{1}{2}$
Half-bushel	$10\frac{9}{16}$	$11\frac{1}{2}$	$6\frac{1}{2}$	$14\frac{3}{4}$
Peck	$9\frac{5}{16}$	$8\frac{11}{16}$	$5\frac{1}{8}$	$11\frac{11}{16}$
Gallon	$7\frac{1}{64}$	$17\frac{1}{16}$	$7\frac{1}{64}$	$17\frac{1}{16}$
Half-gallon	$5\frac{5}{8}$	$5\frac{5}{8}$	$5\frac{5}{8}$	$5\frac{5}{8}$
Quart	$4\frac{1}{2}$	$4\frac{1}{2}$	$4\frac{1}{2}$	$4\frac{1}{2}$
Pint	$3\frac{1}{2}$	$3\frac{1}{2}$	$3\frac{1}{2}$	$3\frac{1}{2}$
Half-pint	$2\frac{25}{32}$	$2\frac{25}{32}$	$2\frac{25}{32}$	$2\frac{25}{32}$

The above form of hopper, as recommended by the Board of Trade, is that officially recognised in Germany and ıstro-Hungary, and has been found, perhaps, to give more uniform results than the forms of hoppers adopted in ondon, Dublin, and Edinburgh.

THE "CHONDROMETER."

The "Chondrometer" or grain-tester, may be said to be an instrument for estimating the specific-gravity or ality of grain ; whereas the "hopper" deals only with the measurement of quantity or capacity ; it is a portable strument, generally packed in a small box about 10 inches in length, by means of which a farmer or dealer may timate approximately the value or quality, per bushel or per quarter of any grain. It is simply a small brass elyard or scale-beam with unequal arms, supported by a stand of the following form—

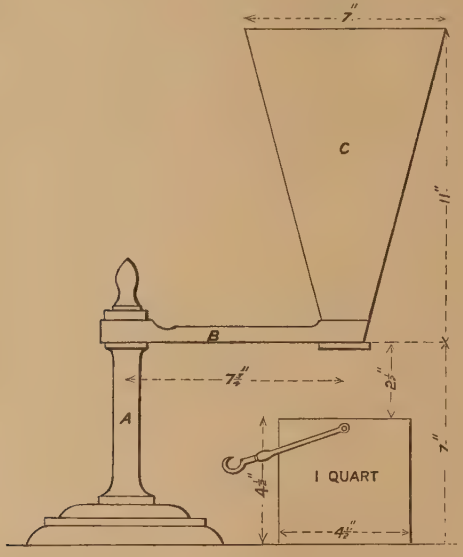


 from

from the shorter arm of which is suspended a small cup or brass vessel to be filled with the grain to be tested; the other and long arm of the steelyard being provided with a sliding poise weight, and having engraved on it a graduated scale of "weights per bushel" (or per quarter), corresponding to any weight of grain which may be placed in the cup suspended from the other or short arm of the steelyard.

The objection to the use of the small form of "chondrometer" is that it determines the specific weight of so small a quantity of grain, not more than half-a-pint, so that any error in selecting the grain, or in weighing it, is largely magnified in dealing with wholesale quantity, as quarters of corn. The custom of some experienced farmers of ascertaining the quality or weight of grain by simply handling it, or weighing it in the hand in open market, gives perhaps, results as satisfactory as those given by the small chondrometer. The larger the volume of grain weighed, the more accurate will be the estimation of its specific gravity or quality, and after all, it is better to base contracts on a weighed "bushel" of grain, as is now more commonly the practice. A "quarter" measure of corn is rarely weighed, and inspectors of weights and measures are never asked to stamp or verify measures of capacity so large as the *quarter* or eight bushels.

Not only should the chondrometer cup be sufficiently large, but it also should be filled by a small hopper; and the importance of this point has been recognised in Canada, for instance, as may be seen by the following diagram, where the cup is marked "one quart," and the *hopper* above it is marked C. (the steelyard or scale-beam not being here shown).



1. The hopper or apparatus for automatically filling the cup of "grain-testers" consists :—

(*a.*) Of a substantial stand (A.), so made as to carry, without shaking, the hopper when filled with grain. To this end the foot of the stand is filled with lead.

(*b.*) Of an arm (B.) swinging freely on the top of the stand and carrying the hopper on its outer end.

(*c.*) The hopper (C.) for holding a sample of the grain to be tested is an inverted frustum of a hollow cone, 11 inches in height, seven inches inside diameter at the large end, and 1·15 inches at the smaller end.

2. The orifice at the small or lower end of the cone is exactly 1·15 inches in diameter, and is closed by a valve which can be moved to one side, so as to permit the run of the grain into the tester.

3. It is essential that the orifice should be of the exact size stated, and that its lower edge be of uniform height above the top of the testing cup to be filled. The standard (A.) must, therefore, be of such height that the lower end of the cone shall be exactly 2½ inches above the top of the testing cup, and the centre of the orifice of the hopper must project sufficiently far beyond the foot of the standard (A.) to permit the centre of the test vessel to be placed directly under the centre of the hopper. The above description and the accompanying drawings show the proportions of the apparatus when the test cup is to hold a quart; if a larger test cup is used, say half-a-gallon, the hopper must be proportionately larger, and the height of the standard (A.) must be increased, so as to bring the lower part of the hopper to the required distance above the test cup.

In Germany the following forms of chondrometers ("Apparat zur Qualitäts bestimmung des Getreides," (Getreideprober), have, however, been recently authorised by the Kaiserlichen Normal-Aichungs Kommission, Berlin, 1891 :—

Fig. 1.

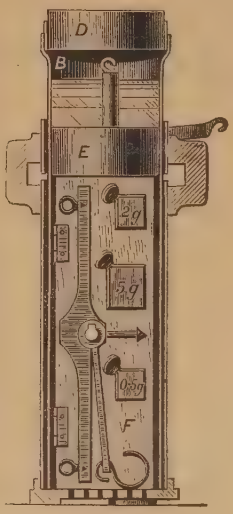


Fig. 2.

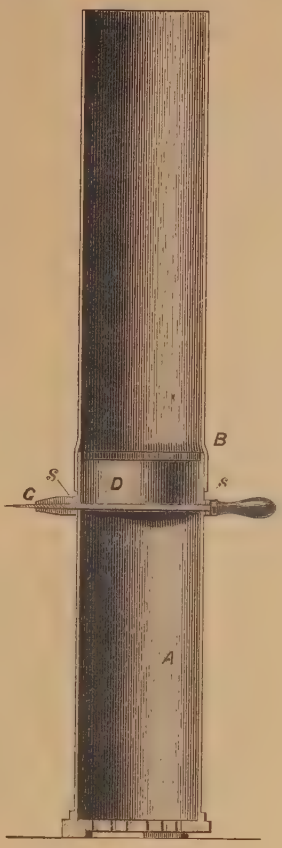


Fig. 3.

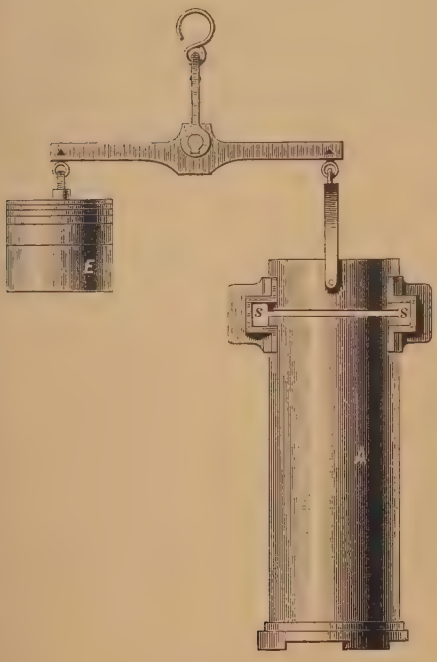


Fig. 4.

Fig. 5.

Fig. 6.

The above is the portable form of the new German chondrometer (Getreideprober). It consists of :—

A.—A measure, suspended in Fig. 4 from the right arm of the balance ; of the capacity of $\frac{1}{4}$ litre only having at top a slot—s, s, through which the forked flat strike, or shovel, C. (Fig. 5), may be passed

D.—A cover, or metal cap, for A and F ; as shown in Figs. 2 and 3.

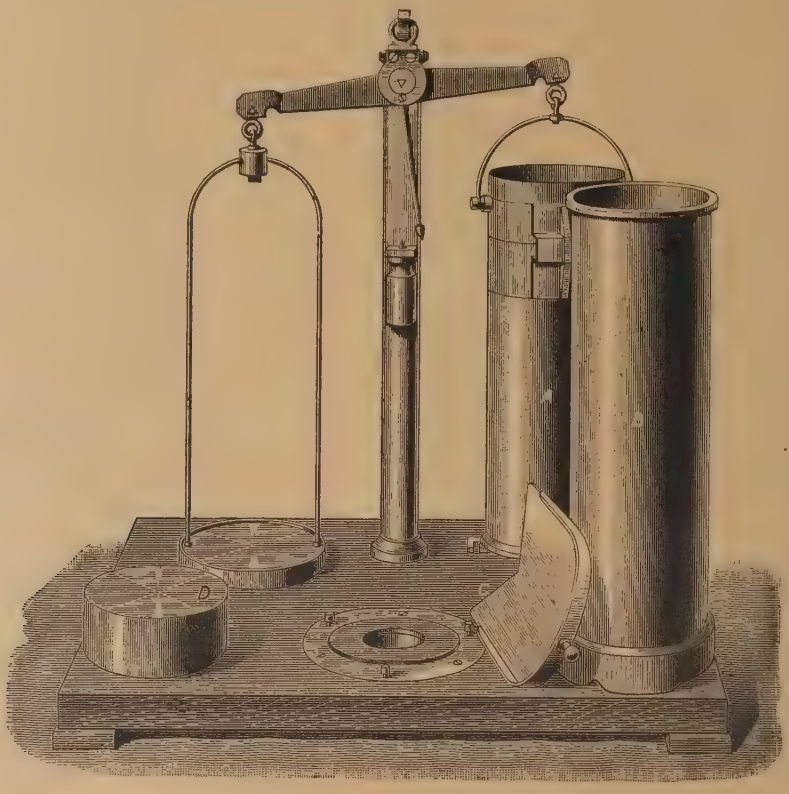
B.—A hopper, or filling tube. as shown in Fig. 3.

E.—A rest for the slotted disc weights (Fig. 6) which are hung from the left arm of the balance (Fig. 4). These weights are of the denominations of 100, 50, 20, 20, and 10 grammes respectively ; but some smaller weights of 5, 2, 2, 1, and $\frac{1}{2}$ grammes are also used, as shown in Fig. 2.

F.—A small box for containing the balance (Fig. 2).

The whole is packed in a metal case, as shown in Fig. 1.

Besides the foregoing portable Getreideprober for outdoor use, the Kommission have authorised a new instrument for fixed, or indoor use, of a similar form, as follows :—



APPENDIX, No. 6.

PAPER handed in by Mr. *H. J. Chaney*.

"PRESSURE" OF WHEAT.

In some experiments on the vertical and lateral pressures of granular substances, Mr. Isaac Roberts, F.R.S., has shown* that in any vessel which has parallel sides, the vertical pressure of wheat upon the bottom of the vessel ceases when the vessel is charged up to twice the diameter of its inscribed circle; and that all lateral pressure ceases at a height not exceeding two-and-a-half times the breadth of the side of the vessel containing the corn. Thus the actual pressure on the bottom of a certain vessel was found by weighing to be 48 lbs., although the vessel was filled with wheat that weighed over 200 lbs. avoirdupois. The height of the vessel was 24 inches, but if the height had been lengthened out to 60 feet even, the pressure would, it is stated, not have exceeded the above amount of 48 lbs. As Mr. Roberts points out, his result appears to be contradictory to our knowledge of the laws governing the flow and pressure of fluids; but his subsequent experiments at Liverpool with grains of various kinds appear to have confirmed his original results.

	Pressure of Wheat when lying in a Corn-bin.	
	Wheat or Grain per Cubic Foot	
	Loosely filled into Bin.	Closely filled into Bin.
	Lb.	*Lb.*
Wheat:		
Red Winter	49	53½
Bombay	49	53
California	49	53
Walla-Walla	46	50½
Bessarabia	49	53
Peas:		
American	50	54
Indian Corn:		
White American	43½	47
Mixed	44	47
Oats:		
Russian	28	33
Beans:		
Egyptian	46	50
Barley:		
English	39	44

* Proceedings of the Royal Society, 1883, Vol. XXXVI., No. 229.

APPENDIX, No. 7.

PAPER handed in by the *Chairman*.

PAPERS by Dr. *Gilbert*, F.R.S., and Sir *John B. Lawes*, Bart., of Rothamstead.

Dear Mr. Jasper More, Harpenden, St. Albans, 30 July 1891.

As promised when you were here on the 18th, I send you herewith, for your own information, and to be submitted to the Corn Sales Committee, a copy of the observations I drew up last year, with the concurrence of Sir J. B. Lawes, on—

1st. The adopted weight per bushel of home and imported wheat.

2nd. The adopted estimates of the amount of wheat which the imported wheatmeal and flour represent.

3rd. The methods of obtaining and recording—

The agricultural produce statistics. Nos. 1 and 2 were, in the first place, submitted to the Statistical Department of the Board of Trade; and afterwards, together with No. 3, to the Board of Agriculture. It seems to me that the facts and statements embodied in the document forcibly illustrate the importance of adopting an uniform weight for the sale of wheat, whether home-grown or imported; and, *mutatis mutandis*, for the sale of other descriptions of grain, or corn.

I think, however, that the weights adopted should have due reference to long-recognised measures. There would, of course, be some advantage in adopting some uniform weight, such as the cwt., for all descriptions of corn, especially if such weight sufficiently corresponded with the recognised or adopted weights used in foreign countries.

But our cwt. corresponds to 1·016 Zollverein centner, and to 50·8 kilogrammes, or 2 cwts. to 101·6 kilogrammes; and these differences, which amount to nearly 2 per cent., are too great to allow of the use of the cwt. and these foreign weights interchangeably, that is, without allowance or calculation in international transactions or statistics.

I quite agree that weight, not measure, best represents quantity, But at present I am disposed to think that the best settlement would be to adopt a uniform weight per bushel for the sale of each description of corn, whether home-grown or imported, the weight adopted for each description having reference, as far as practicable, to the probable real average weight. If the quantities were once on record in actual weight, in this way the statistician would have the means at his command of representing the facts in any denomination he might choose, whether in home or international calculations.

Believe me, &c.
(signed) *J. H. Gilbert.*

COPY of Observations on (1) the Adopted Weight per Bushel of Home and imported Wheat; (2) the Adopted Estimates of the Amount of Wheat which the imported "Wheatmeal and Flour" represent; (3) the Methods of obtaining and recording "The Agricultural Produce Statistics"; drawn up by J. H. Gilbert in concurrence with Sir J. B. Lawes, Nos. 1 and 2 being submitted to the Statistical Department of the Board of Trade, and subsequently Nos. 1, 2, and 3 to the Board of Agriculture.

November 1890.—Adopted Weight per Bushel of Home and Imported Wheat.

It is obvious that, in estimating the consumption of wheat per head or by a given number of the population, it is essential that if the quantity be expressed in measures, that is, in bushels or in quarters, those measures should represent a fixed weight of grain. In like manner, in stating the yield per acre in bushels, it is essential that the bushel should represent a fixed weight. Thus, for example, a quarter of wheat, or 28 bushels per acre, would represent the following weights of grain at the different weights per bushel enumerated:—

TABLE I.

RANGE from 58 to 63 lbs. per Bushel.

Weight per Bushel of Grain.	1 Quarter of Grain.		28 Bushels of Grain.		Per Cent.
	Total Weight.	Excess.	Total Weight.	Excess.	Excess.
Lbs.	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*P.C.*
58	464	—	1,624	—	—
59	472	8	1,652	28	1·7
60	480	16	1,680	56	3·4
61	488	24	1,708	84	5·2
62	496	32	1,736	112	6·9
63	504	40	1,764	140	8·6

RANGE from 60 to 63 lbs. per Bushel.

60	480	—	1,680	—	—
61	488	8	1,708	28	1·7
62	696	16	1,736	56	3·4
63	504	24	1,764	84	5·1

It is obvious, too, that in estimating the aggregate yield of the country, the aggregate imports, and the total wheat available, made up as it is in varying proportions of home and foreign grain, if expressed in measure, it is essential, or at any rate very desirable, that the measure adopted should represent, at least approximately, the same weight of home and of foreign wheat respectively.

Accordingly, in our first paper, "On the Home Produce, Imports, and Consumption of Wheat," published in 1868 (*see* page 14 and context), in considering what weight per bushel it was most suitable to adopt, we, in the first place, found by calculation that in the construction of the official returns of the imports and exports of wheat, and of wheatmeal and flour as wheat, the quantities entered in cwts. were reduced to quarters by calculations based on the assumption of a weight per bushel of 60¾ lbs.

The following Table (II.), which gives the amounts of wheat as recorded in the "Trade and Navigation Returns," in both cwts. and quarters, shows that the same relation has been officially adopted from 1866–67 up to the present time.

TABLE II.

Harvest Years, 1st September to 31st August	Cwts.	Quarters.	Calculated Weight per Bushel, Lbs.
1866–67	28,658,677	6,613,541	60·67
1867–68	36,333,087	8,384,559	60·67
1868–69	30,110,164	6,948,499	60·67
1869–70	37,285,200	8,604,277	60·67
1870–71	34,744,046	8,017,856	60·67
1871–72	39,070,990	9,016,382	60·67
1872–73	46,574,152	10,747,881	60·67
1873–74	43,598,828	10,061,268	60·67
1874–75	43,981,549	10,149,588	60·67
1875–76	53,578,529	12,364,276	60·67
1876–77	45,159,518	10,421,427	60·67
1877–78	54,203,465	12,508,492	60·67
1878–79	51,725,435	11,936,639	60·67
1879–80	59,815,691	13,803,621	60·67
1880–81	55,990,769	12,920,947	60·67
1881–82	61,847,011	14,272,387	60·67
1882–83	67,117,054	15,488,551	60·67
1883–84	51,147,289	11,803,220	60·67
1884–85	58,412,126	13,479,721	60·67
1885–86	50,073,733	11,555,477	60·67
1886–87	55,231,715	12,745,780	60·67
1887–88	51,257,364	11,828,623	60·67
1888–89	61,205,318	14,124,303	60·67
1889–90	58,696,490	13,545,343	60·67

Then, considering that the average weight of home-grown wheat over a series of years is probably about 61 lbs. per bushel, we adopted that weight in our calculations of the home crop; and as foreign wheats will on the average be drier than the home grown, though it is true they differ considerably in other respects, it was thought that, not disturbing the official estimate of 60·67 lbs. per bushel for foreign wheat, and adopting 61 lbs. for the home grown, the aggregate made up from the two sources and stated in quarters, would, at any rate approximately, and perhaps as nearly as practicable, represent a fixed weight.

Considering, however, that some writers on the subject of our wheat supplies adopt either measure, irrespective of weight, or reckon both home and foreign wheat at 60 lbs. per bushel=480 lbs. per quarter, whilst at Mark-lane foreign wheats are sold at 62 lbs., and English in our markets generally at 63 lbs. per bushel, it seems desirable to recall attention to the subject with a view to the adoption, if possible, of a uniform, or at least an approximate, weight per bushel, for both home and foreign wheat, in all calculations of home produce, imports, and consumption; and it is obviously very desirable that in such discussions the weight adopted should represent the average actual weights rather than any weight arbitrarily adopted for market purposes.

It is probable that, in the average of seasons, the wheats we receive from the countries which yield the greatest proportion of our imports, the United States, Russia, India, and Canada, for example, average less than the officially-adopted weight of 60·67 lbs., whilst those from some of the countries of smaller yield will generally exceed that weight. In the absence of more exact information on the point, it would seem, therefore, that there would be more inconvenience than advantage in deviating from the figure 60·67 so long adopted in the official returns of imported wheat.

It is also pretty certain that in the average of seasons 61 lbs. per bushel is as high as the average of home-grown wheats. On this point it may be stated that over 38 years, from 1852 to 1889 inclusive, the average weight per bushel of the wheat from the selected plots in the experimental wheat field at Rothamstead has only been 59¼ lbs., while that from the farmyard manure plot has only been 60¼ lbs. It would indeed require better reasons for change than we can at present see to lead us to deviate from 61 lbs. per bushel for the home crop, the weight which we have adopted for a period of 39 years, from 1852 to 1890 inclusive.

As an illustration of the variation in the weight per bushel in different States of America from which we receive supplies, it may be remarked that in 1882 I was told at the great mills in Minneapolis, that although the market weight was 60 lbs. per bushel, the actual weight only ranged from 57 to 58 lbs.; whilst the largest miller in San Francisco stated that, although the market weight there was also 60 lbs., the actual weight that year ranged from 62 to 63 lbs. It should be observed, however, that these observations referred to the wheats supplied to the millers, and not to those exported. Again, in 1887, it was found at one and the same country mill in Hertfordshire the American wheat in hand weighed 62¾ lbs., the Indian 59¾ lbs., and the Russian 58⅝ lbs., all having been bought at 62 lbs.; whilst three different stocks of English weighed respectively 63 lbs., 60 lbs., and 61¼ lbs., all having been bought at 63 lbs. It is obvious that with such variations in weight in both foreign and English wheat, in the same season at one country mill, it would be quite out of place in estimates of home produce, imports, and consumption, to adopt market weights, and that the object to be aimed at is to reckon measure, as nearly as can be ascertained, at the average weights of the home and imported wheats respectively.

THE Estimates of the Amount of Wheat which the Imported Wheatmeal and Flour represent.

The following Table (III.) shows, according to the "Trade and Navigation Returns," the amounts of wheatmeal and flour imported within each harvest year from 1866–7 to 1889–90 inclusive, that is over a period of 24 consecutive years. The first column shows the actual weights in cwts., and the second the amounts of wheat in quarters which those quantities are calculated to represent, both sets of figures being those actually recorded in the official returns. The third column shows, according to our own calculation from these data, the proportion of wheatmeal and flour to 100 wheat.

TABLE III.

Harvest Years 1st September to 31st August	Cwts.	Quarters.	Meal and Flour to 100 Wheat.
1866-67	3,602,164	1,039,086	80·00
1867-68	3,149,815	908,601	80·00
1868-69	4,256,127	1,227,729	80·00
1869-70	5,631,975	1,624,608	80·00
1870-71	4,391,672	1,242,820	81·55
1871-72	3,252,319	929,234	80·77
1872-73	6,602,898	1,886,542	80·77
1873-74	6,408,057	1,830,873	80·77
1874-75	5,672,746	1,620,784	80·77
1875-76	6,009,148	1,716,899	80·77
1876-77	6,650,060	1,900,018	80·77
1877-78	8,051,660	2,300,474	80·77
1878-79	9,124,388	2,606,968	80·77
1879-80	10,431,726	2,980,493	80·77
1880-81	12,242,571	3,497,878	80·77
1881-82	11,184,520	3,195,577	80·77
1882-83	16,477,373	4,707,821	80·77
1883-84	15,012,068	4,289,162	80·77
1884-85	16,607,039	4,744,868	80·77
1885-86	13,798,874	3,942,535	80·77
1886-87	16,927,570	4,836,449	80·77
1887-88	17,856,186	5,101,768	80·77
1888-89	14,338,112	4,096,603	80·77
1889-90	16,568,746	4,733,928	80·77

It will be seen that with the exception of the first four years when the relation was 80 wheatmeal and flour to 100 wheat, and in the fifth year when it was 81·55, in which case it was stated that there had been some change in the mode of collection of the returns, the relation is in every subsequent year 80·77 wheatmeal and flour to 100 wheat reckoned to weigh 60·67 lbs per bushel

Although a yield of 80·77 of total flour for 100 of wheat is perhaps not impossible, it is pretty certain that the average yield of bread flours is by no means so high. On this point I may mention that both at Minneapolis and at San Francisco, I was told that the yield of the barrelled bread flour was not more than 72 per cent. of the weight of the grain; the reckoning being, at any rate at San Francisco, on the undressed grain; I was told at San Francisco that the total flour was certainly not 80 per cent., and that 82 per cent could not be got from any wheat.

On this point of yield of flour I have been informed that a general reckoning of millers is 6½ sacks of 280 lbs. from five quarters of wheat, mixed English and foreign, at 62½ lbs. per bushel. This is equivalent to 72·8 flour from 100 wheat.

Further, according to a circular of Robinson & Son, mill engineers of Rochdale, they advertise that their improved roller mills will give the following result :—

500 qrs. Duluth wheat, at 63½ lbs. per bushel	= 254,000 lbs.
300 qrs. Red Winter wheat, at 61 lbs. per bushel	= 146,400 lbs.
200 qrs. Californian wheat, at 62 lbs per bushel	= 99,200 lbs.
1,000 quarters.	499 600 lbs.
Yielding :—	
803 sacks flour (280 lbs.), best	224,840 lbs.
402 „ „ „ medium	112,560 lbs.
134 „ „ „ low	37,520 lbs.
1,339 „ „ „	374,920 lbs.
Equal flour for 100 wheat :—	
Best	45·0 per cent.
Medium	22·5 „
Low	7·5 „
TOTAL	75·0 „

Thus the utmost yield professed is 75 parts flour of all grades for 100 wheat, and it is not likely that under such circumstances the capability of the mill would be understated. The question obviously arises, therefore, what proportion of the imports lumped together, as wheatmeal and flour, consists of meal properly so called, that is simply the ground grain, of which the latter would of course yield cent. per cent., less the small amount of loss in grinding: in what proportion of pollards or bran, or inferior flours, and in what proportion of the finer bread flours.

I have been informed that a good deal of low quality flour is imported from America and used for mixing with higher quality English flour for bread purposes; also that a quantity of meal, but perhaps more of pollard and bran, is imported from Russia and other countries, which are chiefly used for stock feeding, the fact being that the lower or courser grades, both home and foreign, are worth more for feeding than for bread-making.

It

It is obviously desirable that the character of the imports classed as wheatmeal and flour should be carefully considered with a view to the confirmation or correction of the official estimate, so long adopted, of 80·77 of these products, corresponding to 100 of wheat. But in the meantime it is certainly a great inconvenience that other factors should be adopted in recording the imports without conclusive evidence in favour of deviation from the officially adopted figure.

The inconvenience and confusion arising from the adoption of different weights per bushel, and of different relations of wheatmeal and flour to wheat, are well illustrated in the difference of result arrived at in the estimates of the imports of the harvest year, 1st September 1889 to 31st August 1890. Thus, as has been explained in our statement of the imports, we at Rothamsted have for nearly 40 years adopted the official weight of 60·67 lbs. per bushel for imported wheat, and also the officially-recognised proportion of 80·77 of wheatmeal and flour to 100 of wheat. In the "Economist" and "Agricultural Gazette," however, 60 lbs. is adopted as the weight per bushel of imported wheat, and a relation of 45 lbs. of flour to 60 lbs. of wheat equivalent to 75 to 100, instead of 80·77 to 100, as adopted in the official returns. The following Table (IV.) shows the difference of result obtained in the one case, adopting the official relations as we have always done in stating the amount of the imports, and in the other as given in the "Agricultural Gazette," in accordance with the altered relations adopted by that journal and the "Economist."

TABLE IV.

IMPORTS of Wheat and of Wheatmeal and Flour as Wheat, for the Harvest Year, 1st September 1889 to 31st August 1890.

	Returns of the Board of Trade as adopted at Rothamsted.	"Economist" and "Agricultural Gazette."
	Cwts.	
Wheat	58,696,490	58,696,490
Wheatmeal and flour as wheat	20,513,490	22,190,284
Total	79,209,980	80,886,774
Exports	506,863	—
Net Imports	78,703,117	80,886,774
	Quarters.	
Wheat	13,545,343	13,695,848
Wheatmeal and flour as wheat	4,733,928	5,177,733
Total	18,279,271	18,873,581
Exports	116,969	—
Net Imports	18,162,302	18,873,581
	Official and Rothamsted	
	18,162,302	
	Difference	711,279

Thus, adopting a lower weight per bushel, a higher proportion of wheat to wheatmeal and flour, in other words, a lower yield of meal and flour, and ignoring the exports, the imports appear to be nearly three quarters of a million quarters (711,279) higher than as given in the official returns, and as adopted at Rothamsted: certainly a most undesirable difference of estimate, whichever may be the nearer the truth.

"THE Agricultural Produce Statistics."

The annual publication of the area in acres, and of the estimated average produce per acre of the principal crops, was commenced in 1884. We have, therefore, at present, the record for six years to 1889 inclusive. Confining attention to the estimates of the yield per acre of wheat, the question arises whether those given refer to measure only, or to measure representing a fixed weight. The following quotations from the description of the method adopted in estimating the produce of wheat enable us to form some judgment on this point.

1884 (p. 5). Mode of collecting data.

"The data were obtained through estimators specially selected for the work, as possessing the requisite knowledge of crops in the districts in which they were employed, together with practical experience in agricultural matters. In most instances they were persons already accustomed, in their respective vocations as land agents and valuers, farmers, corn traders, &c., to furnish such information, and, therefore, well qualified to supply the necessary details. The estimates which had been formed during harvest were, as opportunity occurrred, subsequently tested by personal communication with leading farmers and others, in order to ascertain, from the actual yield of the crops, whether the figures which had been previously derived from observation and inquiry were in practical agreement with the results. In some cases estimators report that from 100 to 350 replies to circulars which they had addressed to surrounding agriculturists for the purpose of verifying the conclusions arrived at have been received, while the various owners or persons in charge of travelling thrashing machines were also applied to for the same purpose In the examination to which the returns were subjected in course of compilation any important disparities in the yield or discrepancies in the estimates furnished for each district were carefully inquired into and adjusted.

1884 (pp. 5 & Number of parishes included in returns.

"Every effort, therefore, has been made to secure as much accuracy as possible in respect to the yield of the crops in questions, and it may be observed that the results shown are framed on returns representing a field of inquiry which has extended over 12,754 parishes in England and Wales, and 899 parishes in Scotland.

1885 (pp. 6 & Standard yield per acre.

"The average rate of produce taken as the standard in each parish or group of parishes in Great Britain, where similarity as to soil and situation appeared to admit of such classification, is that which has been generally considered to be the ordinary average yield of each crop in the parish or group of parishes for which the estimate was made. It should be further explained that the estimates given in the previous year have been carefully revised by the estimators employed in 1885, and corrected in those instances where it was found, in consequence of more extended information, requisite to do so.

"It

85 (p. 7). ethod adopted ascertain the e of yield.

"It may also be useful to repeat here the explanation given with last year's returns concerning produce, that, in calculating the rate of yield per acre, both for the year 1885 and for the estimated ordinary average, the estimated yield and the acreage respectively under the various crops in each parish have first been separately dealt with; the average has next been worked out for each county, and the total produce of each division having thus been obtained in connection with the acreage thereof, its average yield has been calculated. The same process has been followed in ascertaining the final results for England, Wales, Scotland, and Great Britain, and it may be observed that there were only three or four of the districts from which returns were received wherein the data supplied were found to be incomplete, and that in those instances estimates have been prepared on the ascertained results of the remainder of the county or collection in which the districts happen to be situate."

85 (p. 6). eland.

"Through the courtesy of the Registrar General for Ireland, who has supplied the data, the figures for 1884 and 1885 have therefore now been inserted, the weight given as the produce in each of the two years shown having been converted into imperial bushels according to the scale laid down for the inspectors of corn returns, in the Corn Returns Act of 1882, in regard to wheat, barley, and oats." The rate of conversion adopted for each of the crops is stated in a foot-note to Table I., and is as follows:—"Wheat 60 lbs., barley 50 lbs., and oats 39 lbs., to the bushel." It may be remarked that all the foregoing statements apply equally to each of the years subsequent to that of 1885.

bsequent rs.

There is no statement as to whether the yield of wheat per acre for Great Britain, which is given in bushels, represents any given weight per bushel or not.

89 (p. 14). eight per shel in 1889.

"It is intended to supplement the statistics relating to corn crops by further particulars, giving the results obtained from a fairly extensive inquiry as to the actual weight per bushel of wheat, barley, and oats, respectively, in Great Britain in 1889. The information will be prepared for publication as soon as possible after it is received."

From the absence of any reference to weight per bushel in the above explanation of method, excepting in the case of the Irish produce, and from the statement in 1889 that it was intended to make inquiry as to the actual weight per bushel of wheat, barley, and oats, in Great Britain in that year, it may fairly be concluded that the records previously published are those of measure regardless of weight; and from the illustrations that have been given at p. 52, it will be obvious that the quantities so recorded by measure may represent very different quantities by weight according to the actual weight per bushel each year. It is very desirable that information as to the actual weight per bushel should in future be obtained as is proposed, as it will render it possible to make a more exact estimate of quantity than can be done from the record of measure only. But, as the farmer now sells his wheat at a fixed weight of 63 lbs. per bushel, great care must be taken to ensure that the records of yield per acre by measure do not in some cases represent the measure at the actual weight per bushel, and in others at the market weight of 63 lbs. per bushel. Obviously, if this be not done, confusion and uncertainty will be likely to arise. Of course, if the average yield by measure were given in all cases either at the actual and recorded weight per bushel, or at any arbitrarily adopted weight, the quantity at any other fixed weight could easily be calculated. The most correct way would obviously be, were it possible, to have the produce per acre originally recorded in weight, from which the quantity in bushels at any adopted weight could afterwards be calculated. This seems to be the method adopted in the collection and the publication of the returns for Ireland, but it would certainly seem very doubtful whether the record of produce by weight could be at all generally obtained, or at any rate whether such records, if obtained, would be of such accuracy as to be of any real advantage as a means of estimating quantity.

Rothamstead, St. Albans. *J. H. Gilbert.*

REPORT

FROM THE

SELECT COMMITTEE

ON

CORN SALES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
17 *July* 1891.

[*Price* 6½ *d.*]

347. *Under* 8 *oz.*

H.–3 10. 91.

REPORT

FROM THE

STANDING COMMITTEE

ON

TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES,

ON THE

FACTORIES AND WORKSHOPS BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed,*
4 *May* 1891.

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1891.

STANDING COMMITTEE ON TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES.

[*Tuesday, 24th February* 1891]:—Sir John Mowbray reported from the Committee of Selection, That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Trade (including Agriculture and Fishing), Shipping, and Manufacture which may, by Order of the House, be committed to such Standing Committee.

Committee nominated of Sixty-seven Members—

Mr. Addison.
Mr. Asher.
Mr. Baring.
Mr. Barnes.
Mr. Barran.
Sir Michael Hicks Beach.
Sir Edward Birkbeck.
Mr. Bolitho.
Mr. Bonsor.
Mr. Boord.
Mr. A. H. Brown.
Mr. Brunner.
Mr. Burt.
Mr. Joseph Chamberlain.
Mr. Childers.
Mr. Jesse Collings.
Mr. Coleman.
Sir James Corry.
Mr. Craig.
Sir Charles Dalrymple.
Baron Henry De Worms.
Mr. Dixon-Hartland.
Sir George Elliot.
Mr. T. E. Ellis.
Colonel Eyre.
Mr. Hayes Fisher.
Mr. Penrose Fitzgerald.
Mr. Gilliat.
Sir Julian Goldsmid.
Mr. Grotrain.
Mr. Heath.
Sir William Houldsworth.
Mr. Howell.
Mr. Hoyle.
Mr. Jackson.
Mr. William Lowther.
Sir John Lubbock.
Mr. J. M. Maclean.
Mr. Peter M'Donald.
Mr. M'Lagan.
Mr. Morrogh.
Mr. Mowbray.
Mr. Mundella.
Mr. Murphy.
Sir Stafford Northcote.
Mr. T. P. O'Connor.
Sir Richard Paget.
Mr. Parnell.
Sir Joseph Pease.
Mr. Richard Power.
Mr. Rathbone.
Mr. Edmund Robertson.
Mr. Round.
Mr. Sexton.
Mr. Sheil.
Mr. William P. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. T. D. Sullivan.
Mr. Tomlinson.
Sir George Trevelyan.
Sir Richard Webster.
Mr. Whitley.
Mr. Stephen Williamson.
Mr. C. H. Wilson.
Mr. Winterbotham.
Mr. Wood.

[*Thursday, 26th February* 1891]:—Factories and Workshops Bill, read a second time, and committed to the Standing Committee on Trade, &c.

[*Monday, 2nd March* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had added Sir Charles Pearson to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture.

[*Tuesday, 3rd March* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had discharged the following Members from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture:—Mr. Boord and Mr. Childers, and had appointed in substitution:—Mr. Buchanan and Sir Albert Rollit.

Sir John Mowbray reported; That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following Fifteen Members in respect of the Factories and Workshops Bill, and Factory and Workshops Act (1878) Amendment Bill, viz.:—Mr. Abraham (Rhondda Valley), Mr. Broadhurst, Mr. Sydney Buxton, Mr. J. A. Campbell, Mr. Coddington, Viscount Cranborne, Dr. Farquharson, Mr. Fenwick, Sir Henry James, Mr. Matthews, Mr. Oldroyd, Mr. Byron Reed, Mr. T. H. Sidebottom (Stalybridge), Dr. Tanner, and Mr. Stuart Wortley.

[*Friday, 6th March* 1891]:—Mr. Campbell-Bannerman reported from the Chairmen's Panel; That they had appointed Mr. Osborne Morgan to act as Chairman of the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures.

[*Wednesday, 11th March* 1891]:—Sir John Mowbray reported from the Committee; That they had discharged from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in respect of the Factories and Workshops Bill, and Factory and Workshops Act (1878) Amendment Bill, viz.:—Mr. Broadhurst, and had appointed in substitution, Mr. Storey.

[*Tuesday, 17th March* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had discharged Mr. Burt from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture, and had appointed in substitution, Mr. William M'Arthur.

[*Thursday, 19th March* 1891]:—*Ordered*, That the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, have leave to print, and circulate with the Votes, the Minutes of their Proceedings from day to day; and to print, and circulate with the Votes, any amended Clauses of Bills committed to them from time to time—(Mr. *Osborne Morgan*).

[*Friday, 20th March* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had discharged Mr. Round from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture, and had appointed in substitution, Mr. Brooke Robinson.

Sir John Mowbray reported from the Committee; That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, Mr. Roche.

[*Monday, 13th April* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had discharged Sir James Corry from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture, and had appointed in substitution, Mr. Macartney.

[*Friday, 24th April* 1891]:—Sir John Mowbray reported from the Committee of Selection; That they had added Mr. Gibbs to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in substitution of Mr. Baring, deceased.

REPORT.

THE STANDING COMMITTEE on TRADE (including AGRICULTURE and FISHING), SHIPPING, and MANUFACTURES, to whom the FACTORIES and WORKSHOPS BILL was referred;——HAVE gone through the BILL, and made Amendments thereunto.

4 *May* 1891.

STANDING COMMITTEE ON TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES.

Thursday, 19*th March* 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Attorney General.
Mr. Barnes.
Mr. Barran.
Sir Michael Hicks Beach.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Jesse Collings.
Mr. Colman.
Mr. Craig.
Viscount Cranborne.
Sir Charles Dalrymple.
Colonel Eyre.
Mr. Fenwick.
Mr. Hayes Fisher.
Mr. Heath.
Sir William Houldsworth.
Mr. Howell.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. William Lowther.
Mr. J. M. Maclean.
Mr. Matthews.
Mr. William M'Arthur.
Mr. Mowbray.
Mr. Mundella.
Sir Stafford Northcote.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Provand.
Mr. Randell.
Mr. Byron Reed.
Mr. Edmund Robertson.
Mr. T. H. Sidebottom.
Mr. William P. Sinclair.
Mr. Samuel Smith.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stephen Williamson.
Mr. Wood.
Mr. Stuart-Wortley.

FACTORIES AND WORKSHOPS BILL.

Clause 1, amended, and *agreed to.*

Clause 2, amended, and *agreed to.*

Clause 3, *agreed to.*

Clause 4, amended, and *agreed to.*

Clause 5, amended, and *agreed to.*

Clause 6, *agreed to.*

Clause 7.—Amendment proposed, in page 3, line 3, after the words "ninety-two" to insert the following words: "And every building in which the process of carding or spinning is carried on, and in which there is not more than one staircase, whether the construction of the building is commenced before or after that date"—(Sir *Henry James*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 18.	Noes, 19.
Mr. Buchanan.	Mr. Attorney General.
Mr. Sydney Buxton.	Mr. Barran.
Mr. Jesse Collings.	Sir Michael Hicks Beach.
Mr. Colman.	Mr. J. A. Campbell.
Mr. Craig.	Viscount Cranborne.
Sir Charles Dalrymple.	Colonel Eyre.
Mr. Fenwick.	Mr. Heath.

Ayes—*continued.*	Noes—*continued.*
Sir William Houldsworth.	Mr. William Lowther.
Sir Henry James.	Mr. J. M. Maclean.
Mr. Shaw Lefevre.	Mr. Matthews.
Mr. William M'Arthur.	Sir Stafford Northcote.
Mr. Mowbray.	Mr. Oldroyd.
Mr. Mundella.	Sir Charles Pearson.
Mr. Provand.	Mr. Byron Reed.
Mr. Randell.	Mr. T. H. Sidebottom.
Mr. Edmund Robertson.	Mr. Tomlinson.
Mr. William P. Sinclair.	Mr. Whitley.
Mr. Stephen Williamson.	Mr. Wood.
	Mr. Stuart-Wortley.

[Adjourned till Thursday, 9th April, at Twelve o'clock.

Thursday, 9th April 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Addison.	Mr. William M'Arthur.
Mr. Barran.	Mr. Mowbray.
Sir Michael Hicks Beach.	Mr. Mundella.
Mr. Brunner.	Sir Stafford Northcote.
Mr. Buchanan.	Mr. Oldroyd.
Mr. Sydney Buxton.	Sir Charles Pearson.
Mr. J. A. Campbell.	Mr. Briggs Priestley.
Mr. Coddington.	Mr. Provand.
Mr. Colman.	Mr. Randell.
Mr. Craig.	Mr. Byron Reed.
Viscount Cranborne.	Mr. Edmund Robertson.
Sir Charles Dalrymple.	Mr. Brooke Robinson.
Dr. Farquharson.	Mr. T. H. Sidebottom.
Mr. Fenwick.	Mr. Wiliam P. Sinclair.
Sir William Houldsworth.	Mr. Samuel Smith.
Mr. Howell.	Mr. Mark Stewart.
Mr. Hoyle.	Mr. Tomlinson.
Sir Henry James.	Mr. Whitley.
Mr. William Lowther.	Mr. Stephen Williamson.
Mr. J. M. Maclean.	Mr. Winterbotham.
Mr. M'Lagan.	Mr. Wood.
Mr. Matthews.	Mr. Stuart-Wortley.

Clause 7, *further considered.*

Another Amendment proposed in page 3, line 3, to leave out from the words "ninety-two" to the end of the Clause, in order to add the words, "and in which more than forty persons are employed, shall be furnished with a certificate from the sanitary authority of the district in which the factory is situate, that the factory is provided on the storeys above the ground floor with such means of escape in case of fire for the persons employed therein as can reasonably be required under the circumstances of each case, and a factory not so furnished shall be deemed not to be kept in conformity with the principal Act; and it shall be the duty of the sanitary authority to exame every such factory, and on being satisfied that the factory is so provided, to give such a certificate as aforesaid.

"(2.) With respect to all factories to which the foregoing provisions of this section do not apply, and in which more than forty persons are employed, it shall be the duty of the sanitary authority of every district, as soon as may be after the passing of this Act, and afterwards from time to time, to ascertain whether all such factories within their district are provided with such means of escape as aforesaid, and, in the case of any factory which is not so provided, to serve on the occupier of the factory a notice in writing specifying the measures necessary for providing such means of escape as aforesaid, and requiring him to carry out the same before a specified date, and, unless such requirements are so complied with, the factory shall be deemed not to be kept in conformity with the principal Act.

"(3.) All expenses incurred by a sanitary authority in the execution of this section shall be defrayed—

(a.) In the case of an authority of an urban district, as part of their expenses of the general execution of the Public Health Act, 1875; and

(b.) In the case of an authority of a rural district, as special expenses incurred in the execution of the Public Health Act, 1875; and such expenses shall be charged to the contributory place in which the factory is situate.

"(4.) In the application of this section to the administrative county of London, the London County Council shall take the place of the sanitary authority, and their expenses in the execution of this section shall be defrayed as part of their expenses in the management of the Metropolitan Building Act, 1855, and the Acts amending the same"—(Mr. *Matthews*).—Question, That the words proposed to be left out stand part of the Clause—put, and *negatived*.—Question proposed, That those words be there added.

Amendment proposed to proposed Amendment, in line 14, to leave out the word "occupier," and insert the word "owner"—(Mr. *Maclean*).—Question, That the word "occupier" stand part of the proposed Amendment—put, and *negatived*.—Word "owner" inserted.

Another Amendment to proposed Amendment, in line 17, after the word "Act," to insert the words, "In case of a difference of opinion between the owner of the factory and the sanitary authority, the difference shall, on the application of either party, be referred to arbitration, and thereupon the provision in the first Schedule of this Act shall have effect, except that the parties to the arbitration shall be the sanitary authority on the one hand, and the owner on the other"—(Mr. *Maclean*).—Question, That those words be there inserted—put, and *agreed to*.

Amendment, as amended, *agreed to* and added.

Clause, as amended, *agreed to*.

Clause 8.—Amendment proposed in page 3, line 11, after the word "factory," to insert the words "or workshop (other than a domestic workshop)"—(Mr. *Sydney Buxton*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 21.	Noes, 20.
Mr. Barran.	Mr. Addison.
Mr. Buchanan.	Sir Michael Hicks Beach.
Mr. Sydney Buxton.	Mr. Brunner.
Mr. J. A. Campbell.	Mr. Coddington.
Mr. Craig.	Mr. Colman.
Dr. Farquharson.	Viscount Cranborne.
Mr. Fenwick.	Sir Charles Dalrymple.
Sir William Houldsworth.	Mr. William Lowther.
Mr. George Howell.	Mr. J. M. Maclean.
Mr. Isaac Hoyle.	Mr. Matthews.
Sir Henry James.	Sir Stafford Northcote.
Mr. M'Lagan.	Sir Charles Pearson.
Mr. Mowbray.	Mr. Byron Reed.
Mr. Mundella.	Mr. Brooke Robinson.
Mr. Oldroyd.	Mr. T. H. Sidebottom.
Mr. Briggs Priestley.	Mr. Mark Stewart.
Mr. Randell.	Mr. Tomlinson.
Mr. William P. Sinclair.	Mr. Whitley.
Mr. Samuel Smith.	Mr. Wood.
Mr. Stephen Williamson.	Mr. Stuart-Wortley.
Mr. Winterbotham.	

Further Amendment made.

Another Amendment proposed in page 3, line 14, after the words "persons" to insert the words "or that the provision for the admission of fresh air is not sufficient for insuring the good health of the persons employed in a factory"—(Sir *Henry James*).—Question proposed, that those words be there inserted.

Amendment proposed to proposed Amendment, to leave out from the word "sufficient" to the end of the proposed Amendment—(Mr. *Winterbotham*).—Question put, That the words proposed to be left out stand part of the proposed Amendment.—The Committee divided:

Ayes, 10.	Noes, 29.
Mr. Buchanan.	Mr. Addison.
Mr. Sydney Buxton.	Sir Michael Hicks Beach.
Mr. Craig.	Mr. Brunner.
Mr. Fenwick.	Mr. J. A. Campbell.
Sir William Houldsworth.	Mr. Coddington.
Sir Henry James.	Mr. Colman.

Ayes—*continued.*	Noes—*continued.*
Mr. William M'Arthur.	Viscount Cranborne.
Mr. Mundella.	Sir Charles Dalrymple.
Mr. Randell.	Mr. Isaac Hoyle.
Mr. William P. Sinclair.	Mr. William Lowther.
	Mr. J. M. Maclean.
	Mr. Matthews.
	Mr. Mowbray.
	Sir Stafford Northcote.
	Mr. Oldroyd.
	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. Byron Reed.
	Mr. Edmund Robertson.
	Mr. Brooke Robinson.
	Mr. T. H. Sidebottom.
	Mr. Samuel Smith.
	Mr. Mark Stewart.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Stephen Williamson.
	Mr. Winterbotham.
	Mr. Wood.
	Mr. Stuart-Wortley.

Another Amendment proposed to the proposed Amendment, after the word "sufficient," to add the words "to prevent injury to the"—(Mr. *Matthews*).—Question, That those words be there added,—put, and *negatived.*

Further Amendments made to the proposed Amendment.—Amendment, as amended, *agreed to,* and inserted.

Further Amendments made.

Another Amendment proposed, at the end of the Clause, to add the words:—"(8.) In the application of this section to a workshop, the sanitary authority of the district in which the workshop is situate shall take the place of the chief inspector"—(Mr. *Matthews*).—Question put, That those words be there added.—The Committee divided:

Ayes, 14.	Noes, 22.
Mr. Addison.	Mr. Barran.
Sir Michael Hicks Beach.	Mr. Brunner.
Mr. J. A. Campbell.	Mr. Buchanan.
Viscount Cranborne.	Mr. Sydney Buxton.
Sir Charles Dalrymple.	Mr. Colman.
Mr. J. M. Maclean.	Mr. Craig.
Mr. Matthews.	Dr. Farquharson.
Sir Charles Pearson.	Mr. Fenwick.
Mr. Byron Reed.	Sir William Houldsworth.
Mr. T. H. Sidebottom.	Mr. George Howell.
Mr. Mark Stewart.	Mr. Isaac Hoyle.
Mr. Tomlinson.	Sir Henry James.
Mr. Whitley.	Mr. William M'Arthur.
Mr. Stuart-Wortley.	Mr. Mundella.
	Mr. Oldroyd.
	Mr. Briggs Priestley.
	Mr. Randell.
	Mr. Edmund Robertson.
	Mr. William P. Sinclair.
	Mr. Samuel Smith.
	Mr. Stephen Williamson.
	Mr. Winterbotham.

Clause, as amended, *agreed to.*

Clause 9, an Amendment made.

[The Committee adjourned till Monday next, at Twelve o'clock.

Monday, 13th April 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Addison.
Mr. Barnes.
Mr. Barran.
Sir Michael Hicks Beach.
Mr. A. H. Brown.
Mr. Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Coddington.
Mr. Jesse Collings.
Mr. Craig.
Viscount Cranborne.
Sir Charles Dalrymple.
Mr. Dixon-Hartland.
Colonel Eyre.
Dr. Farquharson.
Mr. Fenwick.
Sir Julian Goldsmid.
Sir William Houldsworth.
Mr. Howell.
Mr. Hoyle.
Sir Henry James.
Mr. George Shaw Lefevre.
Mr. William Lowther.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. M'Lagan.
Mr. Matthews.
Mr. William M'Arthur.
Mr. Mowbray.
Mr. Mundella.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Briggs Priestley.
Mr. Randell.
Mr. Byron Reed.
Mr. Brooke Robinson.
Mr. T. H. Sidebottom.
Mr. William P. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stephen Williamson.
Mr. Stuart-Wortley.

Clause 9, *further considered*, amended, and *agreed to*.

Clauses 10—12, amended, and *agreed to*.

Clause 13, Amendment proposed in page 5, line 12, after the word "and," to leave out the word "ten" and insert the word "nine"—(Mr. *Howell*).—Question put, That the word "ten" stand part of the Clause.—The Committee divided:

Ayes, 21.	Noes, 16.
Mr. Barnes.	Mr. Barran.
Sir Michael Hicks Beach.	Mr. Buchanan.
Mr. A. H. Brown.	Mr. Sydney Buxton.
Mr. Brunner.	Sir Charles Dalrymple.
Mr. J. A. Campbell.	Dr. Farquharson.
Mr. Jesse Collings.	Mr. Fenwick.
Mr. Craig.	Sir Julian Goldsmid.
Viscount Cranborne.	Mr. Howell.
Colonel Eyre.	Mr. Hoyle.
Sir William Houldsworth.	Mr. Shaw Lefevre.
Sir Henry James.	Mr. William M'Arthur.
Mr. William Lowther.	Mr. Mundella.
Mr. J. M. Maclean.	Mr. Oldroyd.
Mr. Matthews.	Mr. Brooke Robinson.
Mr. Mowbray.	Mr. Samuel Smith.
Sir Charles Pearson.	Mr. Stephen Williamson.
Mr. Briggs Priestley.	
Mr. T. H. Sidebottom.	
Mr. Mark Stewart.	
Mr. Tomlinson.	
Mr. Stuart-Wortley.	

Clause *agreed to*.

Clause 14, *agreed to*.

Clause 15.—Amendment proposed, at the end of the Clause, to add the words "an annual return shall be presented to Parliament by a Secretary of State of the number of the cases of overtime authorised under Section 66 of the principal Act"—(Mr. *Sydney Buxton*).—Question put, That those words be there added.—The Committee divided:

Ayes, 15.	Noes, 26.
Sir Michael Hicks Beach.	Mr. Addison.
Mr. Buchanan.	Mr. Barran.
Mr. Sydney Buxton.	Mr. A. H. Brown.
Mr. Craig.	Mr. Brunner.
Viscount Cranborne.	Mr. J. A. Campbell.

Ayes—*continued.*

Mr. Fenwick.
Mr. William M'Arthur.
Mr. Matthews.
Mr. Mundella.
Mr. Oldroyd.
Mr. Randell.
Mr. T. H. Sidebottom.
Mr. William P. Sinclair.
Mr. Mark Stewart.
Mr. Stuart-Wortley.

Noes—*continued.*

Mr. Coddington.
Mr. Jesse Collings.
Sir Charles Dalrymple.
Mr. Dixon-Hartland.
Colonel Eyre.
Dr. Farquharson.
Sir William Houldsworth.
Mr. Howell.
Mr. Hoyle.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. William Lowther.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. Mowbray.
Mr. Briggs Priestley.
Mr. Brooke Robinson.
Mr. Samuel Smith.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stephen Williamson.

Clause *agreed to.*

Clause 16, amended, and *agreed to.*

Clause 17.—Amendment proposed, in page 6, line 2, to leave out from the word "namely," to the end of the Clause, in order to add the words "cessation from work shall not be deemed to be a half holiday or whole holiday, unless a notice of the half holiday or whole holiday has been affixed in the factory or workshop during the first week in January, and a copy thereof has on the same day been forwarded to the inspector of the district"—(Sir *Henry James*). Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived.*—Question put, That those words be there added.—The Committee divided:

Ayes, 37.

Mr. Addison.
Mr. Barran.
Sir Michael Hicks Beach.
Mr. A. H. Brown.
Mr. Brunner.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Jesse Collings.
Mr. Craig.
Viscount Cranborne.
Sir Charles Dalrymple.
Mr. Dixon-Hartland.
Dr. Farquharson.
Mr. Fenwick.
Sir William Houldsworth.
Mr. Howell.
Mr. Hoyle.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. William Lowther.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. William M'Arthur.
Mr. Matthews.
Mr. Mowbray.
Mr. Mundella.
Mr. Oldroyd.
Mr. Briggs Priestley.
Mr. Randell.
Mr. Brooke Robinson.
Mr. T. H. Sidebottom.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stephen Williamson.
Mr. Stuart-Wortley.

Noes, 5.

Mr. Buchanan.
Mr. Coddington.
Colonel Eyre.
Mr. Byron Reed.
Mr. William P. Sinclair.

Another Amendment proposed, after the last Amendment, to add the words "Provided that any such notice may be changed by a subsequent notice affixed and sent in like manner not

not less than fourteen days before the holiday or half holiday to which it applies"—(Sir *Henry James*).

Amendment proposed to proposed Amendment, in line 2, to leave out the word "fourteen" and insert the word "seven"—(Mr. *Barran*).—Question put, That the word "fourteen" stand part of the proposed Amendment.—The Committee divided:

Ayes, 26.	Noes, 18.
Sir Michael Hicks Beach.	Mr. Addison.
Mr. A. H. Brown.	Mr. Barnes.
Mr. Brunner.	Mr. Barran.
Mr. Buchanan.	Mr. J. A. Campbell.
Mr. Sydney Buxton.	Mr. Coddington.
Mr. Jesse Collings.	Viscount Cranborne.
Mr. Craig.	Mr. Dixon-Hartland.
Sir Charles Dalrymple.	Dr. Farquharson.
Colonel Eyre.	Mr. Hoyle.
Mr. Fenwick.	Mr. William Lowther.
Sir Julian Goldsmid.	Mr. Macartney.
Sir William Houldsworth.	Mr. J. M. Maclean.
Mr. Howell.	Mr. Brooke Robinson.
Sir Henry James.	Mr. T. H. Sidebottom.
Mr. Shaw Lefevre.	Mr. William P. Sinclair.
Mr. William M'Arthur.	Mr. Samuel Smith.
Mr. Matthews.	Mr. Tomlinson.
Mr. Mowbray.	Mr. Stephen Williamson.
Mr. Mundella.	
Mr. Oldroyd.	
Mr. Briggs Priestley.	
Mr. Randell.	
Mr. Byron Reed.	
Mr. Mark Stewart.	
Mr. Whitley.	
Mr. Stuart-Wortley.	

Proposed words *added*.

Clause, as amended, *agreed to*.

Clause 18, *agreed to*.

Clause 19.—Question proposed, That the Clause stand part of the Bill.

[The Committee adjourned till Thursday next, at Twelve o'clock.

Thursday, 16*th April* 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Abraham (Glamorgan).	Mr. Macartney.
Mr. Addison.	Mr. J. M. Maclean.
Mr. Barnes.	Mr. M'Lagan.
Mr. Barran.	Mr. Matthews.
Sir Michael Hicks Beach.	Mr. William M'Arthur.
Mr. A. H. Brown.	Mr. Mowbray.
Mr. Brunner.	Mr. Mundella.
Mr. Buchanan.	Mr. Murphy.
Mr. Sydney Buxton.	Sir Stafford Northcote.
Mr. J. A. Campbell.	Mr. Oldroyd.
Mr. Joseph Chamberlain.	Sir Charles Pearson.
Mr. Coddington.	Mr. Briggs Priestley.
Mr. Colman.	Mr. Randell.
Mr. Craig.	Mr. Byron Reed.
Viscount Cranborne.	Mr. Brooke Robinson.
Sir Charles Dalrymple.	Sir Albert Rollit.
Mr. Dixon-Hartland.	Mr. T. H. Sidebottom.
Colonel Eyre.	Mr. William P. Sinclair.
Dr. Farquharson.	Mr. Samuel Smith.
Mr. Fenwick.	Mr. Mark Stewart.
Sir Julian Goldsmid.	Mr. T. D. Sullivan.
Sir William Houldsworth.	Dr. Tanner.
Mr. Howell.	Mr. Tomlinson.
Mr. Hoyle.	Mr. Whitley.
Sir Henry James.	Mr. Stephen Williamson.
Mr. George Shaw Lefevre.	Mr. Wood.
Mr. William Lowther.	Mr. Stuart-Wortley.
Sir John Lubbock.	

Clause

Clause 19.—Question put, That the Clause stand part of the Bill.—The Committee divided:

Ayes, 9.	Ayes, 39.
Mr. Addison.	Mr. Abraham (Glamorgan).
Mr. Coddington.	Mr. Barnes.
Mr. Fenwick.	Mr. Barran.
Sir William Houldsworth.	Mr. Brunner.
Mr. William Lowther.	Mr. Buchanan.
Mr. Matthews.	Mr. Sydney Buxton.
Mr. Briggs Priestley.	Mr. J. A. Campbell.
Mr. T. H. Sidebottom.	Mr. Joseph Chamberlain.
Mr. Stuart-Wortley.	Mr. Colman.
	Mr. Craig.
	Viscount Cranborne.
	Sir Charles Dalrymple.
	Mr. Dixon-Hartland.
	Colonel Eyre.
	Dr. Farquharson.
	Sir Julian Goldsmid.
	Mr. Howell.
	Mr. Hoyle.
	Mr. Shaw Lefevre.
	Sir John Lubbock.
	Mr. Macartney.
	Mr. J. M. Maclean.
	Mr. William M'Arthur.
	Mr. M'Lagan.
	Mr. Mowbray.
	Mr. Mundella.
	Sir Stafford Northcote.
	Mr. Oldroyd.
	Mr. Randell.
	Mr. Byron Reed.
	Mr. Brooke Robinson.
	Sir Albert Rollit.
	Mr. Samuel Smith.
	Mr. Mark Stewart.
	Dr. Tanner.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Stephen Williamson.
	Mr. Wood.

Clause 20.—Amendments made.

Another Amendment proposed, in page 7, line 3, after the word "shall" to insert the words "on preventing a written requisition in such form, and containing such particulars, as may be from time to time prescribed by the Secretary of State and"—(Mr. *Matthews*).

Amendment proposed to proposed Amendment, after the word "requisition," to insert the words "which shall be supplied without charge by the Registrar"—(Mr. *Joseph Chamberlain*).—Question put, That those words be there inserted in the proposed Amendment.—The Committee divided:

Ayes, 26.	Noes, 17.
Mr. Abraham (Glamorgan).	Mr. Addison.
Mr. Brunner.	Mr. Barran.
Mr. Buchanan.	Mr. A. H. Brown.
Mr. Sydney Buxton.	Mr. J. A. Campbell.
Mr. Joseph Chamberlain.	Viscount Cranborne.
Mr. Colman.	Sir Charles Dalrymple.
Mr. Craig.	Mr. William Lowther.
Mr. Dixon-Hartland.	Mr. Matthews.
Colonel Eyre.	Mr. Mowbray.
Mr. Fenwick.	Sir Stafford Northcote.
Sir Julian Goldsmid.	Sir Charles Pearson.
Sir William Houldsworth.	Mr. Brooke Robinson.
Mr. Hoyle.	Sir Albert Rollit.
Mr. Shaw Lefevre.	Mr. T. H. Sidebottom.
Mr. Macartney.	Mr. Mark Stewart.

Ayes—*continued.*	Noes—*continued.*
Mr. J. H. Maclean.	Mr. Whitley.
Mr. William M'Arthur.	Mr. Stuart-Wortley.
Mr. Mundella.	
Mr. Oldroyd.	
Mr. Briggs Priestley.	
Mr. Randell.	
Mr. Byron Reed.	
Mr. William P. Sinclair.	
Mr. Samuel Smith.	
Dr. Tanner.	
Mr. Stephen Williamson.	

Amendment, as amended, *agreed to*, and inserted.

Another Amendment proposed, at the end of the Clause, to add the words "and such certified copy may be obtained at any post office or sub-post office situated within the district or sub-district wherein such child or young person was born"—(Mr. *Randell*).

Amendment proposed to proposed Amendment, to leave out the words "certified copy," and insert the words "form of requisition"—(Mr. *Brunner.*)—Question, That the words "certified copy" stand part of the proposed Amendment,—put, and *negatived*; words "form of requisition" inserted.

Proposed Amendment further amended by leaving out from the words "sub-post office" to end of proposed Amendment.—Question put, That the Amendment, as amended, be there added.—The Committee divided :—

Ayes, 25.	Noes, 17.
Mr. Abraham (Glamorgan).	Mr. Addison.
Mr. Barran.	Sir Michael Hicks Beach.
Mr. Brunner.	Mr. A. H. Brown.
Mr. Buchanan.	Mr. J. A. Campbell.
Mr. Sydney Buxton.	Mr. Joseph Chamberlain.
Mr. Colman.	Viscount Cranborne.
Mr. Craig.	Sir Charles Dalrymple.
Mr. Dixon-Hartland.	Sir William Houldsworth
Colonel Eyre.	Mr. William Lowther.
Sir Julian Goldsmid.	Mr. Matthews.
Mr. Hoyle.	Sir Stafford Northcote.
Sir Henry James.	Sir Charles Pearson.
Mr. Macartney.	Sir Albert Rollit.
Mr. J. M. Maclean.	Mr. T. H. Sidebottom.
Mr. William M'Arthur.	Mr. Mark Stewart.
Mr. Mowbray.	Mr. Whitley.
Mr. Oldroyd.	Mr. Stuart-Wortley.
Mr. Briggs Priestley.	
Mr. Randell.	
Mr. Byron Reed.	
Mr. Brooke Robinson.	
Mr. Samuel Smith.	
Mr. T. D. Sullivan.	
Dr. Tanner.	
Mr. Wood.	

Clause, as amended, *agreed to.*

Clause 21, *agreed to.*

Clause 22, amended, and *agreed to.*

Clause 23, *agreed to.*

Clause 24.—Amendment proposed, in page 7, line 31, to leave out from the word "shall" to the end of the sub-section, and insert the words "be amended as follows :—

"(a) Every person shall, previous to or within fourteen days after beginning to occupy any premises which he intends to occupy as a factory or workshop (other than a domestic workshop), serve on an inspector a written notice containing the name, if any, and exact address of the said premises, the address to which he desires communications relating to the Factory Acts to be sent, the nature and amount of the moving power therein, the nature of the work, the cubic feet of space in the factory or workshop, and the firm name under which the business will be carried on; and in default of sending such written notice the occupier shall be liable to a fine not less than one or more than ten pounds.

"Upon receipt of such notice, the inspector shall, at the earliest possible opportunity, inspect the said premises, in order to satisfy himself that they are in conformity with the law, and shall, if so satisfied, register the same and issue to the occupier, free of cost, a certificate

of

of registration in a form to be prescribed by a Secretary of State. Such certificate of registration shall be numbered and dated, and shall contain an abstract of the law relating to factories and workshops, the name and address of the inspector, and a record of the maximum number of persons who can be employed on the premises, or the several workrooms thereof, without overcrowding.

"An inspector, and any officer of a sanitary authority, shall at all times have access to the certificate of registration, and shall have power to make any necessary alterations in the same.

"No factory or workshop may be carried on, except provisionally as aforesaid, with due notice given, without a certificate of registration, under a penalty of not less than two or more than twenty pounds.

"When the occupier of any factory or workshop registered as aforesaid shall discontinue his occupation of the same, he shall give immediate notice of such discontinuance to the inspector"—(Mr. *Sydney Buxton*).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 25.	Noes, 15.
Mr. Addison.	Mr. Abraham (Glamorgan).
Sir Michael Hicks Beach.	Mr. Barran.
Mr. A. H. Brown.	Mr. Buchanan.
Mr. Brunner.	Mr. Sydney Buxton.
Mr. J. A. Campbell.	Mr. Colman.
Viscount Cranborne.	Mr. Craig.
Sir Charles Dalrymple.	Dr. Farquharson.
Sir William Houldsworth.	Mr. Fenwick.
Sir Henry James.	Mr. William M'Arthur.
Mr. Macartney.	Mr. Mundella.
Mr. J. M. Maclean.	Mr. Murphy.
Mr. Matthews.	Mr. Oldroyd.
Mr. Mowbray.	Mr. Randell.
Sir Stafford Northcote.	Mr. D. T. Sullivan.
Sir Charles Pearson.	Dr. Tanner.
Mr. Briggs Priestley.	
Mr. Byron Reed.	
Mr. Brooke Robinson.	
Mr. T. H. Sidebottom.	
Mr. William P. Sinclair.	
Mr. Samuel Smith.	
Mr. Mark Stewart.	
Mr. Tomlinson.	
Mr. Whitley.	
Mr. Stuart-Wortley.	

[The Committee adjourned till Monday next, at Twelve o'clock.

Monday, 20th April 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Addison.	Mr. Macartney.
Mr. Barnes.	Mr. J. M. Maclean.
Sir Michael Hicks Beach.	Mr. M'Lagan.
Mr. A. H. Brown.	Mr. Matthews.
Mr. Buchanan.	Mr. William M'Arthur.
Mr. Sydney Buxton.	Mr. Mundella.
Mr. J. A. Campbell.	Sir Stafford Northcote.
Mr. Coddington.	Mr. Oldroyd.
Mr. Craig.	Sir Charles Pearson.
Viscount Cranborne.	Mr. Briggs Priestley.
Mr. Dixon-Hartland.	Mr. Provand.
Dr. Farquharson.	Mr. Randell.
Mr. Fenwick.	Mr. Brooke Robinson.
Mr. Gilliat.	Sir Albert Rollit.
Sir Julian Goldsmid.	Mr. William P. Sinclair.
Sir William Houldsworth.	Mr. Samuel Smith.
Mr. Howell.	Mr. Mark Stewart.
Mr. Hoyle.	Mr. Tomlinson.
Sir Henry James.	Mr. Stuart-Wortley.

Clause 24, *further considered.*

Another Amendment proposed, in page 7, at the end of the Clause, to add the words "and the sanitary authority shall cause the premises to be inspected within fourteen days after the receipt of the said notice, with a view to ascertaining whether they are in compliance with the law relating to the public health, and shall forthwith, after such inspection, transmit a report thereon to the inspector"—(Mr. *Sydney Buxton*).—Question put, That those words be there added.—The Committee divided:

Ayes, 9.	Noes, 16.
Mr. Buchanan.	Mr. Addison.
Mr. Sydney Buxton.	Sir Michael Hicks Beach.
Mr. Craig.	Viscount Cranborne.
Dr. Farquharson.	Mr. Gilliat.
Mr. William M'Arthur.	Sir Julian Goldsmid.
Mr. Mundella.	Sir William Houldsworth.
Mr. Oldroyd.	Sir Henry James.
Mr. Provand.	Mr. Macartney.
Mr. Randell.	Mr. J. M. Maclean.
	Mr. Matthews.
	Sir Stafford Northcote.
	Sir Charles Pearson.
	Mr. Brooke Robinson.
	Mr. Samuel Smith.
	Mr. Tomlinson.
	Mr. Stuart-Wortley.

Clause *agreed to.*

Clause 25.—Amendment proposed, in page 7, line 41, after the word "therein" to insert the words "or other premises from which work within the meaning of the principal Act is habitually given out"—(Mr. *Randell*).—Question, That those words be there inserted,—put, and *negatived.*

Amendments made.

Question put, That the Clause, as amended, stand part of the Bill.—The Committee divided:

Ayes, 25.	Noes, 5.
Mr. Addison.	Mr. Craig.
Mr. Barnes.	Mr. Hoyle.
Sir Michael Hicks Beach.	Mr. Macartney.
Mr. Buchanan.	Mr. J. M. Maclean.
Mr. Sydney Buxton.	Mr. Oldroyd.
Mr. J. A. Campbell.	
Viscount Cranborne.	
Dr. Farquharson.	
Mr. Fenwick.	
Mr. Gilliat.	
Sir Julian Goldsmid.	
Sir William Houldsworth.	
Mr. William M'Arthur.	
Mr. Matthews.	
Mr. Mundella.	
Sir Stafford Northcote.	
Sir Charles Pearson.	
Mr. Provand.	
Mr. Randell.	
Mr. Brooke Robinson.	
Sir Albert Rollit.	
Mr. William P. Sinclair.	
Mr. Samuel Smith.	
Mr. Tomlinson.	
Mr. Stuart-Wortley.	

Clauses 26—29, *agreed to.*

Clause 30, *disagreed to.*

Clause 31, *agreed to.*

Clause 32.—An Amendment made.

Another Amendment proposed after the last Amendment to add the words, "Provided that in factories or workshops specified in Part Three of the Third Schedule of the principal Act—

(1.) Where press of work arises at certain recurring seasons of the year; or

(2.) Where the business is liable to sudden press of orders arising from unforeseen events;

it

it shall be in the option of the occupier to substitute for the two days fixed by the magistrates or police commissioners two other days, of each of which notice shall be affixed in his factory or workshop not less than days before the day so substituted"—(Dr. *Farquharson*).—Question proposed, That those words be there added.—Amendment, by leave, *withdrawn*.

[The Committee adjourned till Thursday next, at Twelve o'clock.

Thursday, 23*rd April* 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Abraham (Glamorgan).
Mr. Addison.
Mr. Asher.
Mr. Barran.
Mr. Bonsor.
Mr. A. H. Brown.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Colman.
Mr. Craig.
Viscount Cranborne.
Baron Henry De Worms.
Sir George Elliot.
Dr. Farquharson.
Mr. Fenwick.
Mr. Howell.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. William Lowther.
Mr. J. M. Maclean.
Mr. M'Lagan.
Mr. Matthews.
Mr. William M'Arthur.
Mr. Mowbray.
Mr. Mundella.
Sir Stafford Northcote.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Briggs Priestley.
Mr. Randell.
Mr. Byron Reed.
Mr. Brooke Robinson.
Mr. T. H. Sidebottom.
Mr. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. T. D. Sullivan.
Mr. Tomlinson.
Mr. Whitley.
Mr. Winterbotham.
Mr. Wood.
Mr. Stuart-Wortley.

Clause 32, *further considered*.

Another Amendment proposed after the last Amendment to add the words:

"(4.) Where a death has occurred by accident in any factory or workshop a public inquiry in open court shall be held by the sheriff, and the sheriff shall forthwith advise the district inspector under this Act of the time and place of the holding of the inquiry, and at such inquiry any relative of any person whose death has been caused by the accident with respect to which the inquiry is being held, and the occupier or manager of the factory or workshop in which the accident occurred, and any person appointed by the order in writing of the majority of the workpeople employed in the said factory or workshop, shall be at liberty to attend and examine any witness, either in person, or by his counsel, solicitor, or agent, subject nevertheless to the order of the sheriff"—(Mr. *Buchanan*).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clauses 33—36, *agreed to*.

New Clause (Meaning of domestic workshop)—(Mr. *Matthews*),—*added*.

New Clause (Sanitary condition of factories and workshops),—read the first time, as follows:—

"A factory or workshop not provided with adequate mechanical means of ventilation shall be deemed to be injuriously overcrowded within the meaning of the principal Act as amended by this Act, and of the Public Health Acts, when the number of persons employed is such that the average amount of space for each person employed is, during the ordinary working hours, less than three hundred cubic feet, or, when overtime is being worked under gaslight, four hundred cubic feet; provided that in this calculation it shall be assumed that every three gas burners in any such room, whether actually in use or not, shall be deemed to be equivalent to an additional person"—(Mr. *Sydney Buxton*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn*.

New Clause (Exemptions from provisions of Section 7, Sub-section 1),—read the first time, as follows:—

"Mills which are constructed of fireproof materials, and the contents of any part of which, if ignited, would not, in the opinion of the inspector, cause a fire of sufficient magnitude to

threaten the safety of the workpeople therein engaged, shall be exempted from the provisions of the first section of Clause 7 of this Act"—(Mr. *Sinclair*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn*.

New Clause (Report of accidents and injuries to life or limb)—read the first time, as follows:—

"It shall be the duty of every inspector to send to every proprietor of a factory in his district in which spinning and weaving are carried on, once every six months, a report on the prescribed form of all accidents and injuries to life and limb in the spinning and weaving factories in his district, with details of the machinery and appliances which have caused such accidents and injuries, together with full information as to the additional fencing or other means adopted to prevent the recurrence thereof. A woodcut or drawing of such additional fencing shall be sent with the report"—(Mr. *Howell*).—Question proposed, That the Clause be read a second time.

Clause, by leave, *withdrawn*.

New Clause (Period of employment in textile factory),—read the first time, as follows:—

"(1.) Section 11 of the principal Act shall have effect as if for the words 'any manufacturing process' were substituted the words 'any process whatever except cleaning.'

"(2.) In cotton factories the period of employment on Saturday for any process except cleaning shall end half an hour before the time at which employment in any manufacturing process is required by that section to end"—(Sir *Henry James*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 13.	Noes, 23.
Mr. Abraham (Glamorgan).	Mr. Addison.
Mr. Asher.	Mr. Barran.
Mr. Buchanan.	Mr. J. A. Campbell.
Mr. Sydney Buxton.	Mr. Colman.
Mr. Craig.	Viscount Cranborne.
Dr. Farquharson.	Sir George Elliot.
Mr. Fenwick.	Mr. William Lowther.
Mr. Howell.	Mr. J. M. Maclean.
Sir Henry James.	Mr. Matthews.
Mr. Shaw Lefevre.	Mr. Mowbray.
Mr. Mundella.	Sir Stafford Northcote.
Mr. Randell.	Mr. Oldroyd.
Mr. Byron Reed.	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. Brooke Robinson.
	Mr. T. H. Sidebottom.
	Mr. William P. Sinclair.
	Mr. Samuel Smith.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Winterbotham.
	Mr. Wood.
	Mr. Stuart-Wortley.

New Clause (Amendment of 41 & 42 Vict. c. 16, s. 11, as to period of employment),—read the first time, as follows:

"(3.) For the purposes of Section 11 of the principal Act, as amended by this Act, any person being in the employment of the employer and being in a room occupied or used for any manufacturing process, or other work connected therewith, during the time whilst any of the machinery is in motion shall, unless the contrary is shown, be deemed to be employed in a manufacturing process"—(Sir *Henry James*).—Question, That the Clause be read a second time,—put, and *negatived*.

New Clause (Continuation of manufacturing process in spinning mills),—read the first time, as follows:—

"In flax spinning mills where the cleaning is done during working hours throughout the week it shall be lawful to continue any manufacturing process during the half-hour on Saturdays hitherto reserved for cleaning."—Question proposed, That the Clause be read a second time—(Mr. *Sinclair*).—Clause, by leave, *withdrawn*.

New Clause (Revocation of certificate of fitness),—read the first time, as follows:—

"After the passing of this Act, certificates of fitness for employment of children and young persons shall be subject to revocation by the certifying surgeon, if upon inspection he shall certify in the prescribed form that the continued employment of the child or young person named therein is dangerous to the health of such person, to make a periodical inspection of

of all children and young persons holding certificates at prescribed intervals, and shall be entitled to the prescribed fees"—(Dr. *Farquharson*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 5.	Noes, 24.
Mr. Asher.	Mr. Abraham (Glamorgan).
Mr. Buchanan.	Mr. Addison.
Dr. Farquharson.	Mr. A. H. Brown.
Mr. Fenwick.	Mr. Sydney Buxton.
Mr. Winterbotham.	Mr. J. A. Campbell.
	Mr. Colman.
	Viscount Cranborne.
	Mr. Howell.
	Sir Henry James.
	Mr. Matthews.
	Mr. Mowbray.
	Mr. Oldroyd.
	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. Randell.
	Mr. Byron Reed.
	Mr. Brooke Robinson.
	Mr. T. H. Sidebottom.
	Mr. Samuel Smith.
	Mr. T. D. Sullivan.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Wood.
	Mr. Stuart-Wortley.

New Clause (Report of certifying surgeon),—read the first time, as follows:—

"Every certifying surgeon acting under this or the principal Act shall in each year make at the prescribed time a report to the Secretary of State as to the persons inspected during the year, and the results of the inspection"—(Dr. *Farquharson*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 23.	Noes, 9.
Mr. Asher.	Mr. Addison.
Mr. Barran.	Viscount Cranborne.
Mr. A. H. Brown.	Mr. Matthews.
Mr. Buchanan.	Mr. Briggs Priestley.
Mr. Sydney Buxton.	Mr. Byron Reed.
Mr. J. A. Campbell.	Mr. Brooke Robinson.
Mr. Colman.	Mr. T. H. Sidebottom.
Dr. Farquharson.	Mr. Whitley.
Mr. Fenwick.	Mr. Stuart-Wortley.
Mr. Howell.	
Sir Henry James.	
Mr. J. M. Maclean.	
Mr. William M'Arthur.	
Mr. Mowbray.	
Mr. Mundella.	
Mr. Oldroyd.	
Mr. Randell.	
Mr. Samuel Smith.	
Mr. Mark Stewart.	
Mr. T. D. Sullivan.	
Mr. Tomlinson.	
Mr. Winterbotham.	
Mr. Wood.	

Clause amended, and *added*.

New Clause (Appointment of inspectors to vote in Wales and Monmouthshire)—(Mr. *David Randell*),—*added*.

New Clause (Provisions against dust),—read the first time, as follows:—

"Where it appears to an inspector that dust is generated in any textile factory and is inhaled by the workers to an injurious extent, and that such inhalation could be prevented by the use of mechanical or other means, he shall serve on the occupier of the factory a requirement that such means be provided within a reasonable time; and thereupon the same provisions shall apply and the same consequences shall ensue as if the requirement were duly served on the occupier of the factory in pursuance of the foregoing provisions of this Act"—(Sir *Henry James*).—Question proposed, That the Clause be read a second time.

Clause, by leave, *withdrawn*.

New Clause (Particulars to be supplied in case of payment by piece),—read the first time as follows:—

"Every person who is engaged as a weaver in the cotton, worsted, or woollen trade, or as a winder, weaver, or reeler in the cotton trade, and is paid by the piece, shall have supplied to him with his work sufficient particulars to enable him to ascertain the rate of wages at which he is entitled to be paid for the work.

"In the event of any contravention of this section in any factory, the occupier of the factory shall for each offence incur a fine of not less than one pound nor more than five pounds"—(Sir *Henry James*).

Clause read a second time.

[The Committee adjourned till Monday next, at Twelve o'clock.

Monday, 27th April 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Barran.	Mr. M'Lagan.
Sir Michael Hicks Beach.	Mr. Matthews.
Sir Edward Birkbeck.	Mr. William M'Arthur.
Mr. Bolitho.	Mr. Mowbray.
Mr. Brunner.	Sir Stafford Northcote.
Mr. Buchanan.	Mr. Oldroyd.
Mr. Sydney Buxton.	Sir Charles Pearson.
Mr. J. A. Campbell.	Mr. Briggs Priestley.
Mr. Jesse Collings.	Mr. Provand.
Mr. Craig.	Mr. Randell.
Viscount Cranborne.	Mr. Byron Reed.
Sir Charles Dalrymple.	Mr. Brooke Robinson.
Mr. Dixon-Hartland.	Sir Albert Rollit.
Dr. Farquharson.	Mr. T. H. Sidebottom.
Sir Julian Goldsmid.	Mr. Sinclair.
Sir William Houldsworth.	Mr. Samuel Smith.
Mr. Howell.	Mr. Mark Stewart.
Mr. Hoyle.	Mr. T. D. Sullivan.
Sir Henry James.	Dr. Tanner.
Mr. Shaw Lefevre.	Mr. Tomlinson.
Mr. Macartney.	Mr. Whitley.
Mr. J. M. Maclean.	Mr. Stuart-Wortley.

New Clause (Particulars to be supplied in case of payment by piece),—*further considered.*

Amendments made.

Another Amendment proposed, in line 2, to leave out from the word "workshop" at the end of the last Amendment to the end of the Clause, in order to insert the words "and is supplied with any particulars or instructions, direct or indirect, which are false in a material respect, or are reasonably calculated to lead such person to believe that his work will be paid for at a higher rate of wages than that at which he is actually paid, shall be deemed guilty of an offence under this Act, and shall be liable on summary conviction to a fine not exceeding five pounds for every such offence"—(Mr. *Hoyle*).—Question proposed, That the word "shall" stand part of the Clause.—Amendment, by leave, *withdrawn.*

Another Amendment proposed, in line 3, after the word "shall," to insert the words "on request"—(Mr. *Briggs Priestley*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 31.
Mr. Briggs Priestley.	Sir Michael Hicks Beach.
Mr. Brooke Robinson.	Sir Edward Birkbeck.
Mr. Samuel Smith.	Mr. Bolitho.
	Mr. Buchanan.
	Mr. Sydney Buxton.
	Mr. J. A. Campbell.
	Mr. Jesse Collings.
	Mr. Craig.
	Viscount Cranborne.
	Sir Charles Dalrymple.
	Sir Julian Goldsmid.
	Sir William Houldsworth.

Noes—*continued.*

Mr. Howell.
Mr. Hoyle.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. M'Lagan.
Mr. Matthews.
Mr. Mowbray.
Sir Stafford Northcote.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Provand.
Mr. Randell.
Mr. T. H. Sidebottom.
Mr. Mark Stewart.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stuart-Wortley.

Another Amendment proposed, in line 3, after the word "work," to insert the word "such"—(Mr. *Tomlinson*).—Question put, That the word "such" be there inserted.—The Committee divided:

Ayes, 4.

Mr. Hoyle.
Mr. Briggs Priestley.
Mr. Byron Reed.
Mr. Tomlinson.

Noes, 34.

Sir Michael Hicks Beach.
Sir Edward Birkbeck.
Mr. Bolitho.
Mr Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Jesse Collings.
Mr. Craig.
Viscount Cranborne.
Sir Charles Dalrymple.
Sir Julian Goldsmid.
Sir William Houldsworth.
Mr. Howell.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. William M'Arthur.
Mr. M'Lagan.
Mr. Matthews.
Mr. Mowbray.
Sir Stafford Northcote.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Provand.
Mr. Randell.
Mr. Brooke Robinson.
Mr. T. H. Sidebottom.
Mr. William P. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Whitley.
Mr. Stuart-Wortley.

Further Amendments made.—Question put, That the Clause, as amended, be added to the Bill.—The Committee divided:

Ayes, 36.

Sir Michael Hicks Beach.
Sir Edward Birkbeck.
Mr. Bolitho.
Mr. Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Jesse Collings.
Mr. Craig.

Noes, 2.

Mr. Hoyle.
Mr. Briggs Priestley.

Ayes—*continued.*

Viscount Cranborne.
Sir Charles Dalrymple.
Sir Julian Goldsmid.
Sir William Houldsworth.
Mr. Howell.
Sir Henry James.
Mr. Shaw Lefevre.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. William M'Arthur.
Mr. M'Lagan.
Mr. Matthews.
Mr. Mowbray.
Sir Stafford Northcote.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Provand.
Mr. Randell.
Mr. Byron Reed.
Mr. Brooke Robinson.
Mr. T. H. Sidebottom.
Mr. William P. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Tomlinson.
Mr. Whitley.
Mr. Stuart-Wortley.

New Clause (Registration of factories, workshops, and domestic workshops by local authority),—read the first time, as follows:—

"A Secretary of State shall be empowered, in the case of any district in which the registration of factories, workshops, or domestic workshops presents special difficulties, to authorise, by order issued as prescribed by Section sixty-five of the principal Act, either the council for the county or the council for the municipal borough in which the district is situated, as he may deem advisable, to establish and maintain a local register of all premises within the district to which the principal Act and the Acts amending the same apply. Any council so authorised shall have power to appoint its own officers, and, subject to the approval of a Secretary of State, to make, and from time to time amend bye-laws for the purpose of establishing and maintaining the register as aforesaid.

"Any provisions of the principal Act or of the Acts amending the same relating to registration or giving notice of establishing or discontinuing the occupation of premises to which the said Acts apply, shall apply to registration by any council authorised in pursuance of this section, and the officers of such councils shall have, with regard to such provisions the same powers as if they had been appointed in pursuance of the said Acts"—(Mr. *Sydney Buxton*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn.*

New Clause (Notice in cases of persons suffering from contagious diseases),—read the first time, as follows:—

"If an inspector finds on any premises, or portion of the premises, in which any manual work, within the meaning of the principal Act is being done, any person residing therein to be suffering from a contagious disease, he shall, if he deems it necessary, gives notice thereof to all persons whose materials or other articles he finds on the said premises, or to any other person known to be in the habit of giving out such materials or other articles to the occupier of the said premises, that no such person shall give out any further materials or other articles aforesaid to the occupier of the said premises until the persons residing therein are free from contagion.

"Any person giving out materials or other articles as aforesaid to the occupier of a domestic or other workshop in contravention of this sub-section shall be liable to a fine not exceeding twenty pounds"—(Mr. *Sydney Buxton*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn.*

New Clause (Sanitary authority not to be liable for expenses unless notice of default given),—read the first time, as follows:—

"Nothing in this Act contained shall render a sanitary authority liable for any expenses incurred by an inspector under this Act unless notice of the act, neglect, or default, in respect of which the expenses are incurred, shall have been given to the sanitary authority, and they shall have failed within a reasonable time to take proceedings for furnishing or remedying the act, neglect, or default"—(Sir *Albert Rollit*).—Question, That the Clause be read a second time,—put, and *negatived.*

New

New Clause (Amendment of Section 83 of the principal Act),—read the first time, as follows:—

"In Section eighty-three of the principal Act, the words 'or allowed to remain in any room' shall be omitted"—(Mr. *Oldroyd*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn*.

New Clause (Amendment of Section 87 of the prinipal Act),—read the first time as follows:

"In Section eighty-seven of the principal Act, the words 'without his knowledge, consent, or connivance,' shall be omitted, and there shall be inserted in lieu thereof the words 'without his consent or connivance, and in defiance of notices posted in every room of the factory or workshop'"—(Mr. *Oldroyd*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn*.

New Clause (Amendment of Section 5 of the principal Act),—read the first time, as follows:—

"There shall be added in Sub-section (3) of Section 5 of the principal Act, after the words 'every part of the mill gearing,' the words 'and all dangerous parts of the machinery'"—(Viscount *Cranborne*).—Question proposed, That the Clause be read a second time.—Clause, by leave, *withdrawn*.

New Clause (Exceptional provisions relating to the nail and chain trades in Staffordshire and Worcestershire),—read the first time, as follows:—

"The following provisions shall apply to the wrought nail and small chain trades when carried on in workshops in the counties of Stafford and Worcester.

"Every person working in these trades as above shall be entitled, on demand, to receive from the employer a ticket or note stating the amount of work done by such person during the preceding week, the amount of money payable for the same, and any deductions made by the employer, and net amount to which such person may be entitled, together with the amount of any other money previously due and then owing to such person from the employer; and any employer refusing, when reasonably required, to give such ticket or note, or entering upon such ticket or note false and inaccurate figures, shall be liable to a penalty not exceeding five pounds.

"It shall not be lawful for any female, for the purpose of making chains, to cut or work bars or rods of iron which exceed in diameter nine-thirty-seconds of an inch, or, for the purpose of making nails, spikes, or rivets, to cut or work bars or rods of iron which exceed in diameter eleven-thirty-seconds of an inch: Provided that, in the work of pointing only, a female may work bars or rods of iron of the size in diameter of sixteen-thirty-seconds of an inch; and in the event of any contravention of this clause, the occupier of the workshop in which such contravention takes place shall be liable to a penalty not exceeding five pounds."

(6.) In the case of workshops in which these trades are carried on, and in which only the members of one family work or are employed, the notice of occupation to be given in pursuance of the principal Act, as amended by this Act, shall be given by the owner instead of the occupier, and need not be given except on a change of ownership, or on the erection of a new workshop"—(Mr. *Brooke Robinson*).—Question put, That the Clause be read a second time.—The Committee divided:—

Ayes, 13.	Noes, 19.
Mr. Sydney Buxton.	Mr. Barran.
Mr. Jesse Collings.	Sir Michael Hicks Beach.
Mr. Dixon-Hartland.	Mr. Brunner.
Sir Julian Goldsmid.	Mr. Buchanan.
Mr. Howell.	Mr. J. A. Campbell.
Mr. Hoyle.	Viscount Cranborne.
Sir Henry James.	Sir William Houldsworth.
Mr. William M'Arthur.	Mr. Macartney.
Mr. M'Lagan.	Mr. J. M. Maclean.
Mr. Randell.	Mr. Matthews.
Mr. Brooke Robinson.	Mr. Mowbray.
Mr. T. D. Sullivan.	Mr. Oldroyd.
Dr. Tanner.	Sir Charles Pearson.
	Mr. T. H. Sidebottom.
	Mr. Sinclair.
	Mr. Samuel Smith.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Stuart-Wortley.

[The Committee adjourned till Thursday next, at Twelve o'clock.

Thursday, 30th April 1891.

MEMBERS PRESENT:

MR. OSBORNE MORGAN in the Chair.

Mr. Abraham (Glamorgan).
Mr. Asher.
Mr. Barnes.
Mr. Barran.
Sir Edward Birkbeck.
Mr. Bolitho.
Mr. A. H. Brown.
Mr, Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Coddington.
Mr. Colman.
Mr. Craig.
Sir Charles Dalrymple.
Mr. Dixon-Hartland.
Sir George Elliot.
Dr. Farquharson.
Mr. Fenwick.
Mr. Hayes Fisher.
Mr. Gilliat.
Sir Julian Goldsmid.
Mr. Heath.
Sir William Houldsworth.
Mr. Howell.
Sir Henry James,
Mr. Shaw Lefevre.
Mr. William Lowther.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. M'Lagan.
Mr. Matthews.
Mr. William M'Arthur.
Mr. Mowbray.
Sir Stafford Northcote.
Mr. T. P. O'Connor.
Mr. Oldroyd.
Sir Charles Pearson.
Mr. Briggs Priestley
Mr. Provand.
Mr. Randell.
Mr. Byron Reed.
Mr. Edmund Robertson.
Mr. Brooke Robinson.
Mr. Sexton.
Mr. T. H. Sidebottom.
Mr. Sinclair.
Mr. Samuel Smith.
Mr. T. D. Sullivan.
Dr. Tanner.
Mr. Tomlinson.
Mr. Whitley.
Mr. Winterbotham.
Mr. Stuart-Wortley.

New Clause (Employment of children under twelve) read the first time, as follows:

"On and after the first day of July one thousand eight hundred and ninety-two no child under the age of eleven years, and on and after the first day of July one thousand eight hundred and ninety-three, no child under the age of twelve years, shall be employed in a factory or workshop; and any parent causing or permitting his or her child to be employed in contravention of this section for hire, and any person employing such child for hire, shall be gullty of a misdemeanour.

"(2.) Provided always, that any child lawfully employed under the principal Act, or any Act relating to the employment of children, at the time that the respective provisions of this Clause come into operation, shall be exempt from its provisions"—(Mr. *Sydney Buxton*).

Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 22.	Noes, 27.
Mr. Abraham (Glamorgan).	Mr. Barnes.
Mr. Asher.	Mr. Barran.
Mr. Brunner.	Mr. Bolitho.
Mr. Buchanan.	Mr. A. H. Brown.
Mr. Sydney Buxton.	Mr. Coddington.
Mr. J. A. Campbell.	Sir Charles Dalrymple.
Mr. Colman.	Mr. Dixon-Hartland.
Mr. Craig.	Sir George Elliot.
Dr. Farquharson.	Mr. Hayes Fisher.
Mr. Fenwick.	Sir Julian Goldsmid.
Mr. Howell.	Mr. Heath.
Mr. William M'Arthur.	Sir William Houldsworth.
Mr. M'Lagan.	Mr. Shaw Lefevre.
Mr. T. P. O'Connor.	Mr. William Lowther.
Mr. Oldroyd.	Mr. Macartney.
Mr. Provand.	Mr. J. M. Maclean.
Mr. Randell.	Mr. Matthews.
Mr. Sexton.	Mr. Mowbray.
Mr. Samuel Smith.	Sir Stafford Nothcote.
Mr. T. D. Sullivan.	Sir Charles Pearson.
Dr. Tanner.	Mr. Briggs Priestley.
Mr. Winterbotham.	Mr. Byron Reed.
	Mr. T. H. Sidebottom.
	Mr. Sinclair.
	Mr. Tomlinson.
	Mr. Whitley.
	Mr. Stuart-Wortley.

[The Committee adjourned till Monday next, at Twelve o'clock.

Monday, 4th May 1891.

MEMBERS PRESENT:

Mr. OSBORNE MORGAN in the Chair.

Mr. Attorney General.
Mr. Barnes.
Mr. Barran.
Sir Michael Hicks Beach.
Sir Edward Birkbeck.
Mr. Bolitho.
Mr. Bonsor.
Mr. Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Joseph Chamberlain.
Mr. Coddington.
Mr. Colman.
Mr. Craig.
Viscount Cranborne.
Sir Charles Dalrymple.
Baron Henry De Worms.
Mr. Dixon-Hartland.
Sir George Elliot.
Dr. Farquharson.
Mr. Hayes Fisher.
Mr. Gilliat.
Sir Julian Goldsmid.
Mr. Heath.
Sir William Houldsworth.
Mr. Howell.
Mr. W. L. Jackson.
Sir Henry James.
Mr. George Shaw Lefevre.
Mr. William Lowther.
Sir John Lubbock.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. M'Lagan.
Mr. Matthews.
Mr. Mowbray.
Sir Stafford Northcote.
Sir Charles Pearson.
Mr. Briggs Priestley.
Mr. Provand.
Mr. Randell.
Mr. Edmund Robertson.
Mr. Sexton.
Mr. Sheil.
Mr. T. H. Sidebottom.
Mr. Sinclair.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Storey.
Dr. Tanner.
Mr. Tomlinson,
Mr. Stephen Williamson.

New Clause (Prohibition of employment of children under eleven) read the first time as follows:

"On and after the First day of July One thousand Eight hundred and Ninety-two, a child under the age of eleven years shall not be employed in a factory or workshop, and Section 20 of the principal Act shall, as from that date, be repealed. Provided that nothing in this section shall prevent a child, who before the aforesaid date is lawfully employed in any factory or workshop as a child under the age of eleven years, from continuing to be so employed, as if the child were above the age of eleven years"—(Sir *William Houldsworth*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 22.

Mr. Bolitho.
Mr. Brunner.
Mr. Buchanan.
Mr. Sydney Buxton.
Mr. J. A. Campbell.
Mr. Joseph Chamberlain.
Mr. Colman.
Mr. Craig.
Dr. Farquharson.
Sir William Houldsworth.
Mr. Howell.
Mr. Shaw Lefevre.
Mr. M'Lagan.
Mr. Briggs Priestley.
Mr. Provand.
Mr. Randell.
Mr. Sexton.
Mr. Sheil.
Mr. Sinclair.
Mr. Samuel Smith.
Mr. Storey.
Mr. Stephen Williamson.

Noes, 27.

Mr. Attorney General.
Mr. Barnes.
Mr. Barran.
Sir Michael Hicks Beach.
Sir Edward Birkbeck.
Mr. Bonsor.
Mr. Coddington.
Viscount Cranborne.
Sir Charles Dalrymple.
Mr. Dixon-Hartland.
Sir George Elliot.
Mr. Hayes Fisher.
Mr. Gilliat.
Sir Julian Goldsmid.
Mr. Heath.
Mr. W. L. Jackson.
Mr. William Lowther.
Mr. Macartney.
Mr. J. M. Maclean.
Mr. Matthews.
Mr. Mowbray.
Sir Stafford Northcote.
Sir Charles Pearson.
Mr. Edmund Robertson.
Mr. T. H. Sidebottom.
Mr. Mark Stewart.
Mr. Tomlinson.

New Clause (Prohibition of the full time employment of a child under fourteen not having obtained an education certificate) read the first time as follows:

"On and after the First day of July One thousand Eight hundred and Ninety-two, no child under the age of fourteen years shall be employed in a factory or workshop, other than under the half-time system, unless it has passed the standard of reading, writing, and arithmetic fixed by Standard 5 of the Education Code for the time being in force, or where a higher standard of proficiency than the fifth is prescribed under the bye-laws of the local authority of the district, then such higher standard; or unless it has attained such standard of previous due attendance at a certified efficient school, as may be from time to time fixed for the purposes of the Act by a Secretary of State, with the consent of the Education Department: and Section 26 of the principal Act shall, as from that date, be repealed. Provided always, that no child under thirteen years shall be deemed to be a young person for the purposes of this Act"—(Mr. *Sydney Buxton*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 14.	Noes, 22.
Mr. Bolitho.	Mr. Barran.
Mr. Brunner.	Sir Michael Hicks Beach.
Mr. Buchanan.	Sir Edward Birkbeck.
Mr. Sydney Buxton.	Mr. J. A. Campbell.
Mr. Joseph Chamberlain.	Mr. Coddington.
Dr. Farquharson.	Mr. Colman.
Sir Julian Goldsmid.	Viscount Cranborne.
Sir William Houldsworth.	Sir Charles Dalrymple.
Mr. Howell.	Baron Henry De Worms.
Mr. Provand.	Sir George Elliot.
Mr. Randell.	Mr. W. L. Jackson.
Mr. Samuel Smith.	Mr. Shaw Lefevre.
Dr. Tanner.	Mr. William Lowther.
Mr. Stephen Williamson.	Mr. Macartney.
	Mr. J. M. Maclean.
	Mr. Matthews.
	Sir Stafford Northcote.
	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. T. H. Sidebottom.
	Mr. Mark Stewart.
	Mr. Tomlinson.

New Clause (Amendment of 41 Vict. c. 16, s. 106, as to holidays in Ireland).—Read the first time as follows:

"For Sub-section (2) of Section One hundred and six of the principal Act, the following sub-section shall be substituted:

"(2.) In lieu of any two half holidays allowed under the provisions of Sub-section (2) in Section Twenty-two of this Act, there shall be allowed as a holiday to every child, young person, and woman employed in a factory or workshop, the whole of the seventeenth day of March, when that day does not fall on a Sunday, or at the option of the occupier of the factory or workshop, either Good Friday (unless that day is otherwise fixed as a holiday) or Easter Tuesday"—(Mr. *Macartney*).—Question put, That the clause be read a second time.—The Committee divided:

Ayes, 21.	Noes, 6.
Sir Michael Hicks Beach.	Mr. Barran.
Mr. Bolitho.	Mr. Sydney Buxton.
Mr. Brunner.	Mr. Colman.
Mr. Buchanan.	Sir Charles Dalrymple.
Mr. J. A. Campbell.	Mr. Randell.
Viscount Cranborne.	Dr. Tanner.
Baron Henry De Worms.	
Dr. Farquharson.	
Sir Julian Goldsmid.	
Sir William Houldsworth.	
Sir Henry James.	
Mr. Macartney.	
Mr. J. M. Maclean.	
Mr. Matthews.	
Mr. Mowbray.	
Sir Charles Pearson.	
Mr. T. H. Sidebottom.	
Mr. Sinclair.	
Mr. Mark Stewart.	
Mr. Tomlinson.	
Mr. Stephen Williamson.	

Question

Question put, That the Clause be added to the Bill.—The Committee divided:

Ayes, 19.	Noes, 5.
Sir Michael Hicks Beach.	Mr. Barran.
Mr. Bolitho.	Mr. Sydney Buxton.
Mr. Buchanan.	Mr. Colman.
Mr. J. B. Campbell.	Mr. Randell.
Viscount Cranborne.	Dr. Tanner.
Baron Henry De Worms.	
Dr. Farquharson.	
Sir Julian Goldsmid.	
Sir William Houldsworth.	
Mr. Macartney.	
Mr. J. M. Maclean.	
Mr. Matthews.	
Mr. Mowbray.	
Sir Charles Pearson.	
Mr. T. H. Sidebottom.	
Mr. Sinclair.	
Mr. Mark Stewart.	
Mr. Tomlinson.	
Mr. Stephen Williamson.	

New Clause (Annual reports by occupiers), read the first time, as follows:

"The occupier of every factory and workshop shall transmit to the district inspector within fourteen days of the thirtieth day of September in each year, a return giving the number of persons in his employ on the said thirtieth day of September, classified as follows: Male adults, women, male young persons, female young persons, male children, and female children"—(Mr. *David Randell*).—Question proposed, That the Clause be read a second time.

Clause, by leave, *withdrawn*.

New Clause (Amendment of 41 Vict. c. 16, Section 93, Sub-section 3 (c), read the first time, as follows:

"In Section 93, Sub-section 3 (c), of the principal Act, after the words 'in or incidental to the adapting for sale of any article,' shall be inserted the words 'in or incidental to the washing or cleaning of household or body linen," and after the word 'manufacturing' shall be inserted the words 'or other'"—(Mr. *David Randell*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 4.	Noes, 20.
Mr. Buchanan.	Mr. Attorney General.
Mr. Sydney Buxton.	Mr. Barran.
Mr. Howell.	Sir Michael Hicks Beach.
Mr. Randell.	Mr. Bolitho.
	Mr. J. A. Campbell.
	Mr. Colman.
	Sir Charles Dalrymple.
	Baron Henry De Worms.
	Dr. Farquharson.
	Sir Julian Goldsmid.
	Sir William Houldsworth.
	Mr. Macartney.
	Mr. Matthews.
	Mr. Mowbray.
	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. Sinclair.
	Mr. Samuel Smith.
	Mr. Tomlinson.
	Mr. Stephen Williamson.

New Clause (Steam laundries to be deemed non-textile), read the first time, as follows:

"A laundry wherein steam or any other mechanical power is used in aid of any process carried on therein shall be deemed to be a non-textile factory within the meaning of Sections five, thirty-one, thirty-two, and sixty-eight of the principal Act"—(Mr. *David Randell*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 6.	Noes, 18.
Mr. Buchanan.	Mr. Attorney General.
Mr. Sydney Buxton.	Mr. Barnes.
Dr. Farquharson.	Sir Michael Hicks Beach.
Mr. Howell.	Mr. Bolitho.

Ayes—*continued.*	Noes—*continued.*
Mr. Randell.	Mr. J. A. Campbell.
Dr. Tanner.	Mr. Colman.
	Sir Charles Dalrymple.
	Baron Henry De Worms.
	Sir Julian Goldsmid.
	Sir William Houldsworth.
	Mr. Macartney.
	Mr. Matthews.
	Mr. Mowbray.
	Sir Charles Pearson.
	Mr. Briggs Priestley.
	Mr. Samuel Smith.
	Mr. Mark Stewart.
	Mr. Tomlinson.

New Clause (Certifying Surgeons), read the first time, as follows:

"All sections in the principal Act referring to certifying surgeons and certificates of fitness shall apply equally to workshops as to factories"—(Mr. *David Randell*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 11.	Noes, 12.
Mr. Buchanan.	Mr. Attorney General.
Mr. Sydney Buxton.	Mr. Barnes.
Mr. J. A. Campbell.	Sir Michael Hicks Beach.
Mr. Colman.	Viscount Cranborne.
Dr. Farquharson.	Sir Charles Dalrymple.
Mr. Howell.	Baron Henry De Worms.
Mr. Mowbray.	Sir Julian Goldsmid.
Mr. Randell.	Sir William Houldsworth.
Mr. T. H. Sidebottom.	Mr. Matthews.
Mr. Samuel Smith.	Mr. Briggs Priestley.
Dr. Tanner.	Mr. Mark Stewart.
	Mr. Tomlinson.

New Clause (Welsh Abstract), read the first time, as follows:

"In Section seventy-eight of the principal Act, after Sub-section five, shall be added the following words, 'In a factory or workshop in Wales or Monmouthshire the prescribed abstract of this Act shall be affixed as aforesaid in the Welsh language also'"—(Mr. *David Randell*).—Question proposed, That the Clause be read a second time.

Clause, by leave, *withdrawn*.

New Clause (General definitions "machinery or process"), read the first time, as follows:

"In this Act, unless the context otherwise requires—

"The expression 'machinery or process' includes any locomotive used within the precincts of a factory"—(Mr. *David Randell*).—Question proposed, That the Clause be read a second time.

Clause, by leave, *withdrawn*.

New Clause (Limitation of Hours), read the first time, as follows:

"Where it is proved to the satisfaction of the Secretary of State that a clear majority of the workpeople employed in factories and workshops in any trade or occupation are in favour of the maximum hours of labour per day or per week in such trade or occupation being fixed by law, he may, by order made under this part of the Act, declare a maximum number of hours of labour per day or per week for such trade or occupation as agreed upon by the said majority of workpeople, and any person employed in contravention thereof shall be deemed to be employed contrary to the provisions of this Act, and the occupier so employing such person shall be liable to a fine not exceeding five pounds for each offence"—(Mr. *David Randell*).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 4.	Noes, 20.
Mr. Buchanan.	Mr. Attorney General.
Mr. Sydney Buxton.	Mr. Barnes.
Mr. Randell.	Sir Michael Hicks Beach.
Dr. Tanner.	Mr. J. A. Campbell.
	Mr. Colman.
	Viscount Cranborne.
	Sir Charles Dalrymple.
	Baron Henry De Worms.
	Dr. Farquharson.
	Sir William Houldsworth.
	Mr. Howell.
	Mr. Macartney.
	Mr. J. M. Maclean.

Noes—*continued.*

Mr. Matthews.
Mr. Mowbray.
Mr. Briggs Priestley.
Mr. T. H. Sidebottom.
Mr. Samuel Smith.
Mr. Mark Stewart.
Mr. Tomlinson.

New Clause (Amendment of Fourth Schedule of principal Act)—(Viscount *Cranborne*),—*added.*

New Clause (Closing of factory on Saturdays), read the first time, as follows:

"If, after having given one month's notice, the occupier of a factory closes his factory at twelve o'clock on Saturday in any week, he may continue the work in the factory for an additional quarter of an hour on any other day in the same week.

"This provision shall only apply during the five months May to September, both inclusive"—(*Mr. Briggs Priestley.*)—Question proposed, That the Clause be read a second time.

Clause by leave, *withdrawn.*

New Clause (Amendment of definition of retail bakehouse, 46 & 47 Vict. c. 53),—(Mr. *Matthews*),—*added.*

Schedule 1, *agreed to.*

Schedule 2, amended, and *agreed to.*

Preamble, *agreed to.*

Question, That the Bill, as amended, be reported to the House,—put, and *agreed to.*

Ordered, To Report.

REPORT

FROM THE

STANDING COMMITTEE

ON

TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES,

ON THE

FACTORIES AND WORKSHOPS BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed*,
4 *May* 1891.

[*Price* 3 *d.*]

221. *Under* 4 *oz.*

H.—14. 5. 91.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

HANOVER CHAPEL BILL [LORDS];

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed*,
21 *July* 1891.

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88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

356.

Hanover Chapel Bill [Lords].

Ordered,—[*Wednesday*, 15*th July* 1891]:—That the Hanover Chapel Bill be committed to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

That, subject to the Rules, Orders, and Proceedings of this House, all Petitions against the said Bill be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions, if they think fit, and Counsel heard in support of the said Bill against such Petitions.

That the Committee have power to send for Persons, Papers, and Records.

That Three be the Quorum of the Committee.

Ordered,—[*Thursday*, 16*th July* 1891]:—That the Committeee on the Bill have leave to sit and proceed forthwith.

Committee nominated of,—

Viscount Cranborne.
Mr. Picton.
Mr. W. H. Cross.
} Nominated by the House. [*Thursday*, 16*th July* 1891.]

Mr. Childers.
Mr. Morrison.
} Added by the Committee of Selection. [*Thursday*, 16*th July* 1891.]

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REPORT.

THE SELECT COMMITTEE to whom the HANOVER CHAPEL BILL [LORDS] was referred, have examined the allegations of the Bill, and found the same to be true, and have gone through the Bill, and made Amendments thereunto.

21 *July* 1891.

PROCEEDINGS OF THE COMMITTEE.

Monday, 21st July 1891.

MEMBERS PRESENT:

Mr. Childers.	Mr. W. H. Cross.
Mr. Picton.	Mr. Morrison.
Viscount Cranborne.	

Mr. CHILDERS was called to the Chair.

HANOVER CHAPEL BILL [LORDS].

Counsel:—Mr. *Alfred Lyttelton.*

Agents:—Messrs. *Dyson.*

The following Petitions were read:—

1. Trustees of the Trinity Chapel and its Charity:

   Agents:—Messrs. *Wyatt & Co.*

2. Rev. *D. Anderson* and others:

   No appearance.

Mr. *Alfred Lyttelton* was heard in support of the Preamble, and called evidence.

The Rev. *Herbert Moore,* Mr. *Henry Trelawny Buodle,* and Mr. *James Moore* were sworn, and examined.

Mr. *Hooker* was heard on behalf of the Petition of the Trustees of the Trinity Chapel and its Charity.

Evidence for the Promoters continued.

The Rev. *David Anderson* was sworn, and examined.

Room cleared.—Committee deliberated.

Preamble read a second time.

Question put, That the Preamble is proved.—The Committee divided:

Ayes, 3.	Noe, 1.
Viscount Cranborne.	Mr. Picton.
Mr. W. H. Cross.	
Mr. Morrison.	

Parties called in, and informed thereof.

Clauses considered.

Clause 10.

Mr. *Hooker* was heard against the Clause, and proposed certain Amendments.

Mr. *Lyttelton* was heard in answer against the proposed Amendments.

Question, That the proposed Amendments be inserted,—put, and *negatived.*

Clauses further considered, amended, and *agreed to.*

Ordered, To Report the Bill, as amended, to the House.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

HANOVER CHAPEL BILL [LORDS];

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, *to be Printed*,
21 *July* 1891.

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H.–27. 7. 91.

REPORT

FROM THE

SELECT COMMITTEE

ON

HOUSE OF COMMONS (VENTILATION);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed*,
24 *July* 1891.

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88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

371. e

House of Commons (Ventilation).

Ordered,—[*Monday*, 22*nd June* 1891]:—That a Select Committee be appointed to inquire into the Ventilation of this House.

Committee nominated of—

Dr. Farquharson.	Sir Henry Roscoe.
Sir Guyer Hunter.	Mr Plunket.
Mr. Richard Power.	

That the Committee have power to send for Persons, Papers, and Records.

That Three be the Quorum of the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the VENTILATION of the HOUSE;——HAVE taken Evidence in the Matters to them referred, and have agreed to the following REPORT:—

1. THEY recommend* that for the better general ventilation of the House of Commons, including the Debating Chamber, the Committee Rooms, Libraries, Dining, Smoking, Reading, Tea Rooms, and Corridors, the existing inlets for fresh air drawn from the Terrace be enlarged and altered; and further, that in order to provide an increased area of intake, the rooms in the basement storey on the river side (eight in number) now in the occupation of the Chief Clerk of the House of Lords, and used for the storage of Parliamentary Papers, also the room now in the occupation of the Serjeant-at-Arms of the House of Commons, and used as a general store, be made available for the purpose of providing additional air inlets; and that provision for the storage of the present contents of these rooms be made elsewhere. £. 250

2. That for the purpose of increasing and improving the supply to the Debating Chamber of air drawn direct from the river front of the building a more powerful air propeller be provided, and that the existing heating and air filtering system be re-arranged and enlarged. £. 250

3. That additional facilities for the admission of air to the Debating Chamber be obtained by making openings beneath the Members' and Ladies' Galleries, so that the incoming air may enter the Chamber through the fretwork at a higher level than at present; while air should also be brought into the Chamber at other suitable points whereby, they believe, inconveniences complained of as arising in certain places from draughts may be more effectually prevented. £. 200

4. That provision be made for the admission of air at the south end of the "Aye" Division Lobby. £. 10

5. That the ventilation of the Committee Rooms be improved by enlarging the existing inlets or by providing additional inlets by means of vertical tubes or perforated flooring, according to the requirements of each room;† also, that the extraction shafts, common to all of the rooms, be furnished with non-return or back-pressure valves, in order to prevent down draughts, and that the existing ventilating furnace arrangements be improved. £. 2,200

6. That the system at present used for ventilating the Committee Room Corridor be altered so as to be wholly independent of that of the general ventilation of the Committee Rooms, and that provision be made for the introduction of fresh air beneath the floor of the corridor from the courtyards on the west side, and also for the extraction of the vitiated air through the ceiling and roof of the corridor by means of four up-cast or extraction shafts (as shown on Sheet No. 3 appended to this Report). £. 300

7. That double windows be provided for the whole of the Committee Rooms now without them. £. 1,100

8. That means be provided for the admission of air at the inner or eastern wall of the Reading and Tea Rooms, the air to be introduced at a high level instead of as at present from the skirting near the floors of each of these rooms. £. 100

Carried forward - - £. 4,410

*A rough estimate of the cost of carrying out the several recommendations of the Committee was prepared for them by Mr. Taylor, Surveyor to Her Majesty's Office of Works, &c., and is set forth in the margin.

†In Sketch A. on Sheet No. 3 in the Appendix, the proposed treatment of Committee-room No. 8 for the purpose of improved ventilation is shown by way of illustration.

Brought forward - - £. 4,410

9. That the existing water-closets and urinals in the Library Corridor be abolished, and that others be provided in the room at the south end of the corridor, now used as a stationery store attached to the Library; the existing doorway to be blocked up, and a more private entrance to be provided. £. 300

10. That the ventilation of the serving bar in the Members' Dining-room be improved. £. 25

£. 4,735

11. The Committee have also to report that they obtained some evidence on the question of taking the air for the supply of the Houses of Parliament from a high level rather than as at present from the ground level. The Committee were informed that the former plan was adopted at the opening of the present House of Commons in the year 1851, and was continued in use until the year 1854, when the entire system was reversed, and the Clock and Victoria Towers, which up to that time had been used as down-cast shafts for the admission of fresh air, were altered so as to become up-cast shafts for the extraction of vitiated air from all parts of the building. No specific reason for the change is recorded in the Reports of the Committees of both Houses by whom the subject was considered, but it appears to have been thought that an improvement in the ventilation of the House of Commons had been effected by the reversal of the system, and a similar course was followed in the House of Lords, apparently after mature consideration.

12. The Committee also took evidence as to the system of drainage of the Houses of Parliament, which was established in pursuance of the Report of the Select Committee on the Ventilation of the House in 1886, and they find that the system works satisfactorily. The Committee are satisfied that the connection between the Houses of Parliament sewers and the Metropolitan main low-level sewer is so constructed that no backwater or return of sewage, or of sewer-gases from the Metropolitan sewer can enter those of the Houses of Parliament; and the Committee are convinced that no offensive smells or injurious emanations now proceed from the drainage system of the Houses of Parliament, which they are of opinion is as perfect as possible.

13. The Committee have also ascertained that steps were taken to approach the Metropolitan Board of Works with a view of obtaining some improvements in the drainage of that part of Westminster lying immediately outside the Houses of Parliament, and that among other remedial measures an attempt was made to ventilate that portion of the low-level sewer which runs close by the Clock Tower, by connecting it with an extraction shaft or outlet of low elevation situated at the termination of the parapet of the Victoria Embankment, where it joins Westminster Bridge; this ventilator, the Committee have ascertained, was, very shortly after its erection, stopped up, owing to the complaints of foul smells which pervaded the immediate neighbourhood. The Committee recommend that communication be made to the London County Council requesting that body to consider the desirability of improving the ventilation of their main sewers in the neighbourhood of the Houses of Parliament especially by the erection of suitable shafts and furnaces in convenient positions to create powerful exhausts, so that the gratings at the ground level may become inlets for air to the system, instead of, as at present, outlets for gases from the sewers; the Committee, however, cannot approve of a suggestion made to them that a ventilating shaft should be introduced into and carried to the top of the up-cast shaft in the Clock Tower for that purpose.

24 *July* 1891.

PROCEEDINGS OF THE COMMITTEE.

Monday, 29th June 1891.

MEMBERS PRESENT:

Mr. Plunket.	Sir Guyer Hunter.
Sir Henry Roscoe.	Mr. Richard Power.
Dr. Farquharson.	

Mr. PLUNKET was called to the Chair.

Mr. *John Taylor* and Mr. *William Jacob Prim* were examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 3rd July 1891.

MEMBERS PRESENT:

Mr. PLUNKET in the Chair.

Sir Henry Roscoe.	Dr. Farquharson.
Mr. Richard Power.	Sir Guyer Hunter.

Mr. *William Jacob Prim* was further examined.

Mr. *James Thomas Jones* was examined.

[Adjourned till Monday, at Twelve o'clock.

Monday, 6th July 1891.

MEMBERS PRESENT:

Mr. PLUNKET in the Chair.

Sir Henry Roscoe.	Dr. Farquharson.
Sir Guyer Hunter.	Mr. Richard Power.

Mr. *John Taylor*, Mr. *James Thomas Jones*, Mr. *Chandos Leigh*, Mr. *Isaac Shone*, Mr. *John Phillips*, and Mr. *William Jacob Prim* were examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 13*th July* 1891.

MEMBERS PRESENT:

Mr. PLUNKET in the Chair.

Sir Guyer Hunter. | Dr. Farquharson.

Mr. *Alexander Richardson Binnie*, Mr. *George Robert Wheeler*, and Mr. *Robert Harris Reeves*, were called, and examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 20*th July* 1891.

MEMBERS PRESENT:

Mr. PLUNKET in the Chair.

Sir Henry Roscoe. | Mr. Richard Power.
Sir Guyer Hunter. | Dr. Farquharson.

Mr. *Joseph Lunt*, Mr. *Robert Harris Reeves*, Mr. *John Taylor*, and Mr. *William Jacob Prim* were examined.

[Adjourned till Friday, at Half-past Twelve o'clock.

Friday, 24*th July* 1891.

MEMBERS PRESENT:

Mr. PLUNKET in the Chair.

Dr. Farquharson. | Mr. Richard Power.
Sir Henry Roscoe. | Sir Guyer Hunter.

DRAFT REPORT, proposed by the *Chairman*, brought up, and read the first time, as follows:—

"1. THEY recommend* that for the better general ventilation of the House of Commons, including the Debating Chamber, the Committee Rooms, Libraries, Dining, Smoking, Reading, and Tea Rooms, the existing inlets for fresh air drawn from the Terrace be enlarged and altered; and further, that in order to provide an increased area of intake, the rooms in the basement storey on the river side (eight in number) now in the occupation of the Chief Clerk of the House of Lords, and used for the storage of Parliamentary Papers, also the adjoining room now in the occupation of the Serjeant-at-Arms of the House of Commons, and used as a general store, be made available for the purpose of providing additional air inlets; and that provision for the storage of the present contents of these rooms be made elsewhere.

"2. That for the purpose of increasing the supply to the Debating Chamber of air drawn direct from the river front of the building a more powerful air propeller be provided, and that the existing heating and air filtering system be re-arranged and enlarged.

"3. That additional facilities for the admission of air to the Debating Chamber be obtained by making openings beneath the Members' and Ladies' Galleries, so that the incoming air may enter the Chamber through the fretwork at a higher level than at present; while air should also be brought into the Chamber at other suitable places whereby, we believe, inconvenience arising in certain places from draughts may be more effectually prevented.

"4. That provision be made for the admission of air at the south end of the "Aye" Division Lobby.

"5. That the ventilation of the Committee Rooms be improved by enlarging the existing inlets or by providing additional inlets by means of vertical tubes or perforated flooring, according to the requirements

* A rough estimate of the cost of carrying out the several recommendations of the Committee was prepared for them by Mr. Taylor, Surveyor to Her Majesty's Office of Works, &c., and is set forth in the margin.

requirements of each room; also, that the extraction shafts, common to all of the rooms, be furnished with non-return or back-pressure valves, in order to prevent down draughts, and that the existing ventilating furnace arrangements be improved.

"6. That the system at present used for ventilating the Committee Room Corridor be altered so as to be wholly independent of that of the general ventilation of the Committee Rooms, and that provision be made for the introduction of fresh air beneath the floor of the corridor from the court-yards on the west side, and also for the extraction of the vitiated air through the ceiling and roof of the corridor by means of four up-cast or extraction shafts (as shown on Sketch No. 3 appended to this Report).

"7. That double windows be provided for the whole of the Committee Rooms now without them.

"8. That means be provided for the admission of air at the inner or eastern wall of the Reading and Tea Rooms, the air to be introduced at a high level instead of as at present from the skirting near the floors of each.

"9. That the existing water-closets and urinals in the Library Corridor be abolished, and that others be provided in the room at the south end of the corridor, now used as a stationery store attached to the Library; the existing doorway to be blocked up, and a more private entrance to be provided.

"10. That the ventilation of the serving bar in Members' Dining-room be improved.

"11. The Committee have also to report that they obtained some evidence as to the comparative advantage of taking the air for the ventilation of the Houses of Parliament from a high level rather than as at present from the ground level. The Committee were informed that the former plan was adopted and was continued in use from the first opening of the building in the year 1851 until the year 1854, when the entire system was reversed, and the Clock and Victoria Towers, which up to that time had been used as down-cast shafts for the admission of fresh air, were altered so as to become up-cast shafts for the extraction of vitiated air from all parts of the building. No specific reason for the change is recorded in the Reports of the Committees of both Houses by whom the subject was considered, but it appears to have been thought that an improvement in the ventilation of the House of Commons had been effected by the reversal of the system, and that a similar course was followed in the House of Lords, apparently after mature consideration.

"12. The Committee also took evidence as to the system of drainage of the Houses of Parliament, which was established in pursuance of the Report of the Select Committee on the Ventilation of the House in 1886, and they find that the system works satisfactorily. The Committee are satisfied that the connection between the Houses of Parliament sewer and the Metropolitan main low-level sewer is so constructed that no backwater or return of sewage from the Metropolitan sewer can enter that of the Houses of Parliament; and the Committee are convinced that no offensive smells or injurious emanations now proceed from the drainage system of the Houses of Parliament.

"13. The Committee have also ascertained that steps were taken to approach the Metropolitan Board of Works with a view of obtaining some improvements in the drainage of that part of Westminster lying immediately outside the Houses of Parliament, and that among other remedial measures an attempt was made to ventilate that portion of the low-level sewer which runs close by the Clock Tower, by connecting it with an extraction shaft or outlet of low elevation situated at the termination of the parapet of the Victoria Embankment, where it joins Westminster Bridge; this ventilator, the Committee have ascertained, was, very shortly after its erection, stopped up, owing to the complaints of foul smells which pervaded the immediate neighbourhood. The Committee recommend that communication be made to the London County Council requesting that body to consider the desirability of improving the ventilation of their main sewers in the neighbourhood of the Houses of Parliament, especially by the erection of suitable shafts and furnaces in convenient positions to create powerful exhausts, so that the gratings at the ground level may become inlets for air to the system, instead of as at present outlets for gases from the sewers; the Committee, however, cannot approve of the suggestion made to them by the engineer to the London County Council, that a ventilating shaft should be introduced into and carried to the top of the up-cast shaft in the Clock Tower for that purpose."

Question, That the DRAFT REPORT be now read a second time, paragraph by paragraph—put, and *agreed to.*

Paragraphs 1—3, amended and *agreed to.*

Paragraphs 4—5, *agreed to.*

Paragraph 6, amended, and *agreed to.*

Paragraphs 7—10, *agreed to.*

Paragraphs 11—13, amended, and *agreed to.*

Question, That this Report, as amended, be the Report of the Committee to the House;

Ordered, To Report, together with Minutes of Evidence, and Appendix.

EXPENSE OF WITNESS.

Name of Witness.	Profession or Condition.	From whence Summoned.	Number of Days absent from Home, under Orders of Committee.	Allowance during absence from Home.	Expenses of Journey to London and back.	Total Expenses allowed to Witness.
						£. s. d.
Joseph Lunt -	Experimental Chemist for examining and reporting upon air of Committee Rooms with the sanction of the Treasury.	-	-	-	-	12 12 -

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Monday, 29th June 1891.

MEMBERS PRESENT:

Dr. Farquharson.
Sir Guyer Hunter.
Mr. Plunket.
Mr. Richard Power.
Sir Henry Roscoe.

THE RIGHT HONOURABLE DAVID PLUNKET, IN THE CHAIR.

Mr. JOHN TAYLOR, called in; and Examined.

Chairman.

1. YOU are Surveyor to the Office of Works?—Yes.

2. Will you tell the Committee what has been done in the way of carrying out the recommendations of the last Committee which sat to inquire into this question; that Committee reported in 1886, did it not?—Yes, in May 1886. Of the recommendations contained in the summary annexed to that Report, Nos. 1, 2, 3, 4, 5, 6, and 7, have been all carried out.

3. Those have reference to the drainage, have they not?—They have reference to the drainage, the improvement of the ventilation of the kitchen, and other matters. The first recommendation related entirely to the application of Shone's system; the second was in connection with the whole of the details of the sanitary arrangements; that is, as to soil pipes, water-closets, urinals, and lavatories; the third had reference to the middle auxiliary drain; the fourth was that the east and west drains be examined and put into proper repair; the fifth was that the steam and hot water should not be allowed to enter the sewers directly, but should be condensed and cooled; the sixth was that the ventilation of the kitchens be improved; and the seventh, that improvements in the means of obtaining fresh air in the House of Commons and in the Commons Lobby be made. A considerable quantity of fresh air now enters the Lobby by means of gratings that have been fixed on either side of the entrance door leading from the principal corridor. Practically, therefore, the first seven recommendations have all been carried out, and completed.

4. Have you heard any complaints about the ventilation of the Division Lobbies since these arrangements have been made?—I have not myself; but I do not think that any of these recommendations apply directly to the Division Lobbies.

Chairman—continued.

5. I thought the last one you mentioned did?—The recommendation is, "That improvements in the means of obtaining fresh air in the House of Commons and the Commons Lobby be made." Only the Commons Lobby has been dealt with. I do not remember that anything was done in regard to the House of Commons. Then a further recommendation, which is not numbered, was that "The system of ventilation should be effected by mechanical appliances, giving rise to a plus pressure, rather than by an exhaust, giving a minus pressure." There was no actual decision arrived at by the Committee on that point, and no steps have yet been taken in the matter.

6. Could you tell us what was the estimated expense of carrying out each of those recommendations, and how much has been actually spent in each case?—The first was estimated at 8,000 *l.*, but I think just over 11,000 *l.* was spent in applying the Shone system of pneumatic ejectors, and carrying out the works which Mr. Shone had to do throughout the building. The next recommendation, No. 2, was estimated at 3,200 *l.* There was more than that spent upon it, but not a great deal. The third recommendation was the middle or auxiliary drain; that was carried out in connection with Mr. Shone's works. The estimate for that was 1,100 *l.* I do not think that that really cost more than the estimate, so far as I remember. Then there was a mistake in regard to the cost of No. 4 in the printed recommendation. It should have been from 3,000 *l.* to 5,000 *l.*, instead of 500 *l.*; 3,000 *l.* to 5,000 *l.* was the estimate, but by some means there was an error in printing, and it was printed 500 *l.* You will find that the estimate which I gave in my evidence was from 3,000 *l.* to 5,000 *l.* Altogether the total cost of everything has been about 25,000 *l.* The Appropria-

 tion

Chairman—continued.

tion Accounts are complete, and the expenditure is given there.

7. Do you consider that, so far as the drainage of the House of Commons is concerned, the recommendations of the Committee have been completely and satisfactorily carried out?—I do. I do not think there has been a single complaint of any kind, nor has there been a stoppage since the works were completed. Certain difficulties arose with regard to the ejectors immediately after they were fixed, but that was in consequence of the inlets into the ejectors themselves being so small; that is to say, they did not carry off the sewage so fast as the main pipes leading into them required; they were not equal to carrying off the sewage at the same rate as it was being delivered to them. Those pipes were taken out by Mr. Shone, and larger pipes were introduced, and there has been no complaint since.

Dr. *Farquharson.*

8. Are you satisfied that the drains of the House of Commons are completely cut off from all possible communication with the main sewer?—Absolutely cut off.

9. I mean, supposing through any temporary failure of the ejecting apparatus it went wrong, could sewer gas by any possibility get into our own system from outside?—If the ejectors broke down we should practically have to revert to the old system of flowing by gravitation until they could be put right.

Sir *Henry Roscoe.*

10. There is means for doing that in the case of a breakdown, I believe?—There is.

11. Such a breakdown would be only of a temporary character, and it has not yet occurred, has it?—Not yet.

Sir *Guyer Hunter.*

12. What is the character of the provision supplemental to the present system in case that system broke down?—There is what I may call a "by pass" to allow the sewage to flow through by gravitation into the sewer into which it formerly flowed before the ejectors were fixed.

Chairman.

13. There has been in fact nothing approaching to a breakdown, nor have you any reason to anticipate such a misfortune?—I think on one occasion a piece of wood got into one of the ejectors, but it was a mere temporary matter and it was set right again almost immediately; and while that ejector was out of order the other ejectors were doing the work.

Sir *Henry Roscoe.*

14. You have a double system of ejectors and also a quadruple system of engines, I think?—That is so.

15. So that even if any breakdown occurs in one, it is almost impossible to imagine that a breakdown should occur at the same time in both the ejectors and in the four engines?—It is not likely to occur at all.

16. You may say it is practically impossible?—Yes.

Dr. *Farquharson.*

17. You have given us the actual expenditure on these works; would you tell us how much of that was due to the Shone system?—About 11,000 *l.*

18. Could you tell us the amount of the extra annual expenditure involved by the Shone system over the old system?—I can give you that on another occasion; I have not the figures here at the moment.

Chairman.

19. Then I understand that the whole of the recommendations of that Committee, Nos. 1 to 7 inclusive, have been completed, but that the suggestion at the end, the recommendation in regard to the change in our system of ventilation has not been acted upon, no definite decision having been arrived at by the Committee on that subject; can you tell us what the cost of applying that system to the House of Commons would be?—The cost of applying a plus system to the House of Commons itself (I am not now speaking of the building generally of the House of Commons, but only of the House of Commons itself) would be something like 250 *l.*, I think.

20. Then will there be an annual charge incurred as well for attendants and so on?—There would be an annual charge beyond that.

21. Of about how much?—About 75 *l.*, or something like that, I think.

22. How would that expense of 250 *l.* you speak of be made up?—It would be made up by enlarging the channel by which the fresh air is brought in from the Terrace; that is to say, the present inlet for fresh air is insufficient; and also it would be necessary to fix an additional fan to force the air into the House through the channel.

Sir *Henry Roscoe.*

23. You would want a larger fan than you have at present?—Yes, we should want more power.

Chairman.

24. But the cost both of the enlargement of the openings for the access of fresh air from the Terrace and of giving the additional fan power would be included in the 250 *l.* you speak of?—Yes.

25. Coming now to the recommendations under the heading B. we will pass by for the present the first recommendation as to placing the various departments under one central authority. The next recommendation is as regards the plan of the basement showing the drains, a copy of which it was recommended should be kept with the public records; what have you to say upon that point?—The plan has been prepared, but the fair copy of it is not yet complete, because we have had to add the new system for Westminster Hall to make the plan perfectly complete; there have also been some very small works which it is desirable to show upon the completed plans which could not be shown till now. The fair copy is not yet prepared to go to the Record Office, but everything is complete in the plan which I have here. This is the plan of the complete system (*producing a plan, and putting it before the Committee*).

26. I believe

Sir *Henry Roscoe.*

26. I believe there were no plans formerly, were there?—There were the plans of Sir Charles Barry; but the sewers have been altered very much from time to time.

Dr. *Farquharson.*

27. I thought there were no plans to be found?—We have found some of Sir Charles Barry's old plans.

Sir *Henry Roscoe.*

28. I suppose all the catch-pits which were formerly found on the east and west drain have been removed?—Yes, the whole of the catch-pits have been removed, and there is no obstruction whatever to the sewage from the point where it enters the drains till it reaches the ejectors, nor any place where it can accumulate.

29. There is also an automatic flushing tank, is there not, which periodically empties itself and washes out the middle drain through its whole length?—Yes.

Sir *Guyer Hunter.*

30. With regard to the flushing, is it carried on periodically at regular periods, or is it done intermittently as you think it is required?—It is carried on principally automatically; but where there is no automatic system, the flushing is done periodically by the workmen attached to the building under the superintendence of the clerk of the works.

31. In your opinion, is the system sufficient to carry off all the sewage from the House?—Ample.

Chairman.

32. The next point was the steps which were recommended to be taken by the Local Government Board; will you tell us what that related to?—That was a matter which did not, it appears, relate to my branch, and I took no steps in the matter.

33. What was the recommendation of the Committee?—"That the Local Government Board be requested to call upon sanitary authorities to prevent nuisances caused by the imperfect combustion of refuse materials in the neighbourhood of the Palace." I have made inquiry at the Local Government Board, and they do not appear to have taken any steps in that matter. It seems that their attention has not been called to it.

34. Are you of opinion that it is essential that such steps should be taken?—I think, certainly; because there was no doubt evidence given on the last occasion when the Committee sat, to the effect that a considerable quantity of rubbish and refuse was frequently burnt in the middle of the night, at about one or two o'clock in the morning; and that it created a terrible stench at times, and if the wind happened to be in the direction of this building when the House was sitting, honourable Members would no doubt observe it.

Sir *Guyer Hunter.*

35. There was a strong recommendation by the Committee on that point, I believe?—So far as I know this is the only recommendation that

Sir *Guyer Hunter*—continued.

the Committee made with regard to it, "That the Local Government Board be requested to call upon sanitary authorities to prevent nuisances caused by the imperfect combustion of refuse materials in the neighbourhood of the Palace."

Sir *Henry Roscoe.*

36. Evidence was given by the chief inspector of alkali works to the effect, "That in the neighbourhood of the Palace certain establishments exist in which refuse organic matter is burnt in such an imperfect manner as to cause grave nuisance," and the Committee of which I was chairman called the attention of the Local Government Board "to the noxious character of the emanations from these places, and urge the Board to call upon the local sanitary authorities to prevent the nuisance caused by the incomplete combustion of refuse materials." You say you think no action was taken?—I think not. I went over to the Local Government Board, and saw the chief clerk, and he went to the various departments where he said action would have been taken, if it had been taken, and he did not find any action had been taken.

Dr. *Farquharson.*

37. Does the nuisance still go on?—I am not able to say. Probably Mr. Prim, who lives on the spot, would be better able to answer that question.

38. Probably the mere threat of that reference to the Local Government Board may have had a deterrent effect, and the nuisance may have been put an end to?—It may be so.

Chairman.

39. Probably, from the fact of the House sitting now so seldom after 12 o'clock, honourable Members would be less likely to observe the nuisance (assuming that it still exists) which, according to the evidence, was in full force between one and two o'clock in the morning; was not that so?—I think it was understood that between one and two o'clock in the morning was the time generally when they did their burning.

40. Then the fourth recommendation is as to horses standing in the courts?—Yes; the recommendation was, "That no carriages or horses be allowed under any circumstances to remain or stand in either of the courts where the inlets of air are drawn from." That recommendation, I am afraid, is not strictly acted upon. It seems to me horses are allowed to stand there when they ought not to be; that is, when the House is sitting. Of course, if there are any fresh horse droppings, the smell will be drawn into the House, and it will be noticed no doubt inside. I think that recommendation ought to be acted upon rigidly. When I came to make an inspection a few days ago when the House was sitting, I found a Stationery van and horse standing right up against the inlet. That, of course, would be a matter for the police.

41. A suggestion was made during the sitting of the Committee with regard to the removal of the whole kitchen arrangements from the ground level to the top of the building; but I believe no actual recommendation was made on that sub-

Chairman—continued.

ject?—No. I think in the evidence that was given, there was some reference to the removal of the kitchens to the top of the building; but no recommendation was made by the Committee upon the point.

42. If that were undertaken, would it be an expensive business?—Very expensive.

43. Could you give a guess as to what the cost would be?—It would be only a very approximate estimate that I could form of it without having made complete plans, and having gone into the thing very closely, which would take a considerable time; but I should think that it would cost from 15,000 *l.* to 20,000 *l.*

Dr. *Farquharson.*

44. Is there convenient accommodation up aloft where you could put the kitchens?—There is a set of unused Committee-rooms on the top floor. That is, I think, the only part of the building where the kitchens could be placed.

45. If the kitchens were put up there you would want an elaborate service of lifts, I presume?—Yes, you would want a service of lifts; and probably the whole set of kitchen apparatus would have to be new, as you would have to arrange the work to suit the building.

46. The grills, of course, would have to remain as they are in the dining-rooms?—The grills in the Members' grill-room are not in connection with the kitchen arrangements.

Sir *Henry Roscoe.*

47. Even in spite of what was done under the recommendations of the last Committee under Head 6, have you heard that there are still considerable complaints as to smells from the kitchens?—I suppose it would be almost impossible to prevent the smell from the kitchens passing up the lifts and up the staircase into the Members' dining-rooms to some extent.

48. The complaint is mainly, I believe, as to the small rooms, the Chairman of Committee's room (Mr. Courtney's room), and the room next to it; have you heard anything of complaints with regard to those rooms?—Not lately; but I can quite understand that there would be a smell from the windows opening into the court, the air passing out of the kitchen into the courtyard and getting in at Mr. Courtney's windows, I apprehend. I have no doubt there is something objectionable there.

Chairman.

49. I understand that that rather affects these particular rooms than the general indraughts which ventilate the House?—Yes; the air taken for the ventilation of the House itself is not drawn from that particular court.

50. And that would not be much affected, as I understand you, by the change of sending the kitchen upstairs?—The objectionable smell from the kitchen windows, if the kitchens were placed upstairs, would undoubtedly disappear.

51. But that change, as I understand, would not much affect the indraughts of air for the general ventilation of the House?—No, not to any appreciable extent.

Sir *Henry Roscoe.*

52. It is mainly those rooms that are situated above the kitchens that suffer?—Yes.

53. You do not think there is any very general source of contamination to the air coming into the House itself from the kitchen?—No, I think not. The only place where it might come would be, as I said, by the lift-shaft, where the lift is passing up and down, conveying the dinners from the kitchen to the Members' dining-room, and up the staircase, which adjoins the lift-shaft; but that would affect the Members' dining-room more than anything else; it would not affect any other place; in fact, it has no other exit.

Chairman.

54. What have you to say as regards the ventilation of the Committee-rooms?—I do not think there would be any difficulty in improving the ventilation of the Committee-rooms very much if we could get possession of some of the lower basement rooms so as to get a good current of air in and increase the area of the inlet. The present inlet is far too small in area, and is too far removed from several rooms which it is intended to ventilate.

Sir *Henry Roscoe.*

55. When the room in which we are sitting now was used by the Committee of which I was a member on the London Water Supply, it was very crowded, and in fact far too full for a room of the size, and the air for the first few days was something terribly bad, almost unbearable. I think Mr. Prim did do something to give us a little ease and comfort, but still it was not very good even at the last; we were either blown away by the draught from the windows or stifled by the bad air?—No doubt several of the Committee-rooms are very imperfectly ventilated.

Chairman.

56. As I understand your view is, speaking generally (of course Mr. Prim can give us the details afterwards), if you can get hold of some rooms in the basement (I presume you mean those rooms where we see areas and openings from the Terrace), that would enable you to improve considerably the ventilation of these Committee-rooms?—Yes.

57. How are those rooms which you want to get hold of occupied at present?—I think some of them are occupied by the Journal Office.

58. If the Journals, or whatever it may be that is there, were removed elsewhere, you would be easily able to avail yourself of the space for the purpose of this ventilation?—Yes, if those rooms can be given up, we should have no difficulty in getting an ample supply of air for the ventilation of the Committee-rooms. It would involve a considerable alteration as regards the intake and the rooms themselves; because we are some distance from the Terrace level in this room. We should also, I think, have to alter the system of admitting the air into the Committee-rooms.

Sir *Henry Roscoe.*

59. Will you explain how the air is admitted into the Committee-rooms at present?—There is a tube

Sir *Henry Roscoe*—continued.

a tube at each corner of the press behind the Committee, and the air also comes in round the skirting. It was formerly admitted over the dado, but it so blackened the walls that it was considered desirable to stop it up. I think some arrangement might be made so as to re-open that channel. I fancy (but before I could speak positively, I should require to make a further inspection of the construction of the floor) that it would be a very good thing if we could have the floor of the public portion of the room (that is to say where the public stand, outside the barrier) ventilated like the floor of the House of Commons, and bring the air up through the floor, carrying away the vitiated air by the pull at the top through the ceiling.

60. Is there plenty of means for getting rid of the vitiated air at the top?—We have ample area of outlet, and I should say a sufficient pull; but the area of outlet is in many cases five or six times the area of inlet.

Chairman.

61. That disproportion you could set right if you got hold of the rooms in the basement storey?—To a very large extent.

62. The room in which we are sitting happens to have a set of double windows; but that is not the case in some of the Committee-rooms, is it?—Some of the Committee-rooms have not got double windows.

63. In those rooms which are not supplied with double windows, are there not great complaints in winter time of cold in the immediate vicinity of the window?—Yes, there is a great complaint whenever there is a cold east wind. It is almost impossible with a single window constructed as these iron windows are to prevent a draught at the lozenge ventilators.

64. Probably when the windows were constructed, it was contemplated there would be so much sitting of the House in winter time?—Very likely that was the idea in the minds of those who were responsible for the building.

65. However, as a matter of fact, I understand that you are of opinion that the nuisance of the extreme cold close to the windows cannot be obviated by anything that you can do until the windows are doubled in all the rooms as they are doubled at present in this room?—I think that doubling the windows is the only way of getting rid of the difficulty.

66. The warmer the rooms inside the worse it is for those sitting close to the single window if there is a cold east wind blowing outside?—Undoubtedly that would be so.

67. You consider that to be an urgent matter; but I believe it would be costly, would it not?—It would be costly; but I think it is urgent; I think it ought to be done throughout.

68. Especially as the House and the Committees are sitting very much in the winter months?—Yes; that makes it so much the more necessary, of course.

Sir *Henry Roscoe.*

69. Would the plan which you proposed of having an open work floor be carried out in all

Sir *Henry Roscoe*—continued.

the Committee-rooms or only in a certain number of rooms where large Committees meet, where the Standing Committees meet, for example?—It might begin with the large ones, but I think it would be desirable to have it in all cases.

70. Do you think you could get air enough from the present supply so far as the air passages down at the basement are concerned; for you could not enlarge those very readily, I suppose?—We should have to alter them, but the alterations required are practicable; I have ascertained that. We could get a good deal more area if we had means of access from the terrace.

Mr. *Richard Power.*

71. Do not you think that the public would very much object to having all this current of air coming up through the floor?—It would be spread over a large area, so that you would have a considerable inflow of air without draught.

72. You are no doubt aware that nearly everybody objects to the air coming up through the floor in the House of Commons; it is said that the dust from the Members' boots and so on is deposited on the floor, and then the air coming in there blows it up; would it not be the same thing here in these Committee-rooms?—If the system may be used in the House of Commons, I think it may well be used here; because people do not come into these Committee-rooms to stand any length of time outside the barrier; they are moving about and go in from one room to another. Of course the amount of air admitted there would be capable of being regulated. We should have a series of inlets. It would not do to bring the draught in at one end or the other, but we would have a series of pipes discharging at certain places and distributing the air all over the area of the floor; and those pipes might be capable of regulation.

Chairman.

73. Is it not the fact as regards the debating Chamber of the House of Commons itself, the air that comes in is kept as much as possible at an equable temperature by being in cold weather passed over hot-water pipes?—Yes, it is so, and it would be so in the case of the Committee-rooms. We should have a means of heating the air before it passes up to the Committee-rooms.

74. And in hot weather you pass the air over ice to keep it at an equable temperature as in cold weather it is passed over hot-water pipes?—Yes.

Mr. *Richard Power.*

75. Have you any idea of how many Committee-rooms there are that want these double windows?—I cannot answer that question. I daresay Mr. Jones knows.

Chairman.

76. How many Committee-rooms have got them at present?—I should think about the same number.

77. What in round figures would be the expense of providing the additional Committee-rooms with double windows?—I made an estimate and submitted it, but for the moment I have

forgotten

Chairman—continued.

forgotten the figure. I think it is about 60 *l.*, a window.

Dr. *Farquharson.*

78. Complaints are very frequent among the counsel and the witnesses about the bad air in the passages outside the Committee-rooms, and I have observed, myself, when the corridor has been crowded that the air is very bad; do you think anything could be done to improve the ventilation of the corridors?—Yes; I think it is quite possible to improve the ventilation in the corridors; but in order to do that it will be necessary to sever the pull which at present draws off the foul air from the Committee-rooms from the pull that draws off the foul air from the corridors.

79. Are there not two small closets not far from this passage which are practically ventilated into the passage?—Yes, on the floor below this, on the House of Commons level.

Sir *Henry Roscoe.*

80. Would you propose to apply the plus system of pressure not merely to the Chamber of the House but to the passages and library and all the rooms below; or were you speaking merely with regard to the Chamber itself?—Merely with regard to the Chamber itself.

81. You do not propose to apply the plus pressure to the lobbies underneath where those closets are to which the honourable Member has referred?—It might be possible to apply the system to a small portion of the building; but to apply it to the whole of the Committee-rooms and corridors would be a very large business, I am afraid.

82. You think that you would be satisfied with the system at present in operation for the other portions of the building?—I think so.

Chairman.

83. That is to say, after you get the advantage that the increased inlet of air would give you?—Yes; after you get that advantage there is another thing to be considered in connection with the plus system being applied to the corridors; the flow of air would be rather from the House into the corridors, than from the corridors into the House, under the plus system, but if you apply the same pressure to the corridors you put the plus system in the House itself out of use; that is to say, if you give a greater pressure in the corridors at any time than you have in the House itself, the flow of air would be inwards, just as it is now, by the extracting process.

Sir *Henry Roscoe.*

84. If you have a plus pressure in the House itself, and a minus the pressure in the corridors, there would be a rush of air from the House into the passages?—Yes.

Chairman.

85. But not so strong as to interfere with the necessary ventilation through the roof of the Chamber?—That would have to be very carefully regulated.

86. I suppose the truth is that the system of ventilation all through this building is so elaborate that you have to take a good deal of trouble to prevent the different parts of the system interfering with one another?—Yes. I think the plus system was in operation in this building before Dr. Percy's time; it was employed by Dr. Reid.

Sir *Henry Roscoe.*

87. The original system was a fan system, was it not?—Yes. I think the greatest difficulty to be encountered in the plus system is to put a pressure of air upon the Chamber without creating currents of air in various directions; that is to say, if the air is under pressure in a disturbed condition, I think it would be productive of draughts to some extent.

Chairman.

88. Do you mean draughts inside the Debating Chamber, or outside?—Inside the Chamber itself. We had some experience of that in the Courts of Justice. Originally the draughts at the Courts of Justice, which were much complained of, were undoubtedly caused by the fans pressing the air furiously into the chamber, and the extracting power and area being insufficient to carry it off. The result was that there was a constant disturbance of the air in the chamber, and no one could tell where it came from. We had to put the fans out of use until we created a much greater heat in the roof itself. The roofs were not warmed at all, as Mr. Street left them; they were almost open to the outer air, and in winter time were absolutely cold. I had to carry a large system of steam pipes round the whole of the roof, and to create a current through the ceiling, and then increase the power of the pulls at the outlet; and when that was done, and the fans were not worked so freely, we got rid of the draught to a very great extent.

89. That difficulty might not arise in the case of the House of Commons, inasmuch as we have a heated roof when the gas is burning, which is usually the case?—Yes.

90. Are you, on the whole, favourable to the substitution of the plus system for the present exhaust system?—My impression is that it would be difficult to improve the ventilation of the Chamber itself; but it is a perfectly easy experiment to try, and it is not an expensive one if it costs no more than I said, namely, 250 *l.* But I think it would be a subject for practical experience. I think we should probably have to decrease the area of outlet in the ceiling before we could get any pressure upon the air in the Chamber, and the question will arise as to whether it is not better to carry off the vitiated air freely than to throttle it at the top and keep it in the Chamber to some extent. There is that difficulty in applying the plus system.

91. You are in favour of trying the experiment of this plus system, I understand?—I know of no objection to the experiment being tried if the Committee are of opinion that it is worth the trial.

Sir *Henry Roscoe.*

92. You have fans at work at present for certain purposes at certain times, have you not?—Yes, in fogs and in very hot weather.

Dr. *Farquharson.*

93. This ventilation was originally designed by Dr. Reid, was it not?—Yes.

94. Has it been much altered and modified since then by Dr. Percy?—Yes, very much.

95. Have the original plans been a good deal departed from?—Yes, there is a good deal of difference. Sir Goldsworthy Gurney did a great deal before Dr. Percy came here, in the way of departing from Dr. Reid's system.

Chairman.

96. Do you consider those modifications have had the effect of improving the ventilation?—I have no doubt whatever improvement was made.

Dr. *Farquharson.*

97. Supposing you were constructing a new House of Commons with a system of ventilation, is this the system you would recommend?—The system at present in use is the system I should recommend.

98. You could not recommend anything better according to modern science?—I know of nothing better.

Chairman.

99. Is there anything you wish to add upon this point?—Mr. Jones has just put into my hands the information about the Committee-rooms. There are eight Committee-rooms to be done at a probable cost of 1,105 *l.*

Sir *Henry Roscoe.*

100. Is that for the alteration of the windows or for the other alterations also?—For the windows only. It includes one Standing Committee-room which has not got double windows at present.

101. I think you told us that you estimated that the cost of introducing the plus pressure system into the Debating Chamber would be 250 *l.*?—About 250 *l.*

102. You did not tell us, I think, what you estimated the alteration in the Committee-rooms would cost; could you give us an estimate for that?—I am afraid I cannot give you an estimate at present.

103. It naturally would be a considerable sum?—It would be a considerable sum, particularly if we are to go into such an alteration as I have suggested in the floors and that sort of thing.

104. But still you feel that some alteration ought to be made in the ventilation of the Committee-rooms?—I feel satisfied they are very imperfectly ventilated at present, and it would not be a difficult matter, so far as the practical work is concerned, to improve them.

Dr. *Farquharson.*

105. Are you hopeful that by the plan you suggest the Committee-rooms would be placed in a reasonably good state of ventilation?—I think so.

Dr. *Farquharson*—continued.

106. We who sit on this side of the table of course have very little idea of what the condition of things is on the other side of the barrier. I have been on the other side of the barrier once or twice, and I have found the air is very bad on a crowded day; do you think that the difficulties as to the varying number of people in the room and so on are so great as to preclude our ever being able to bring it into a reasonably good state of ventilation, or do you hope to be able to do so by the plan which you suggest?—I should hope to be able to ventilate the rooms fairly under all circumstances, if we can get the rooms below, so as to increase the area of the inlets; there is no difficulty about the outlet; it is only a question of admitting the air, and admitting the air in such a way so as not to be objectionable to the people in the room.

Sir *Henry Roscoe.*

107. As regards ventilation, of course the windows, except on a warm day, should not be open, for the draught then becomes too great?—It is very much better if the windows could be kept closed, because opening the windows throws the system of ventilation out of gear altogether.

Dr. *Farquharson.*

108. The great disinclination that we hear that honourable Members have to sitting on Committees at all is probably caused by the extreme lassitude and exhaustion experienced after sitting three or four hours in these Committee rooms?—There is no doubt whatever that several Committee-rooms are very imperfectly ventilated. The inlet of air is at such a distance from them that it is practically absorbed by other rooms nearer to it before it reaches the further rooms. The exhaust through the ceiling will undoubtedly act in that way at the nearest point to the inlet, and as you get farther away from the inlet the supply of air gets less.

Sir *Henry Roscoe.*

109. If the windows are open in the first room the pull in the last room is much less than it ought to be?—Certainly.

Chairman.

110. You say that the ventilation of the Committee-rooms is interfered with by the windows to some extent; does that apply to the system of ventilation in the Debating Chamber?—Yes, very much; and even more so there than in the Committee rooms; because the windows in the Chamber are at a much higher level in the House of Commons than they are here as compared to the floor, so that when the windows of the House of Commons are opened they immediately feed the pull and leave the vitiated air at the bottom.

111. So that, in point of fact, when we yield to the desire of honourable Members who want to have the windows open, it probably has the opposite effect to what those honourable Members desire?—Exactly the opposite effect.

112. Therefore when you have an artificial system of ventilatiou, it is not a good thing to apply

Chairman—continued.

apply the ordinary practice in rooms when the system is not artificial?—You can readily understand that air, being drawn up through the floor of the House of Commons, carries away all the vituated air with it; but if you open the windows the pull no longer acts upon the air from below, but it simply takes the air from the window through the ceiling, and leaves the chamber with the vituated air in it.

Sir *Henry Roscoe.*

113. Of course that objection would be less if we had the plus pressure in the chamber, the air would find its way out of the window, and at the same time the fresh air would not come in?—Assuming you get pressure sufficient on the interior to drive the air out, but I should be somewhat doubtful about the action being so effective.

Mr. William Jacob Prim, called in; and Examined.

Chairman.

114. Since the meeting of the Committee in September 1886, will you tell us what alterations have been made in accordance with the recommendations of the Committee in the matter of ventilation. You need not tell us with regard to the drainage, we have already heard about that?—I can give the Committee particulars with regard to two of the paragraphs in the Report, one is with regard to the kitchen.

115. What have you to say about that?—The kitchen itself has been very much improved, but we still get the smells, in the court-yard outside the kitchen, which ascends into the rooms of the Chairman of Committees, and also into the rooms of the Speaker's counsel, when the windows are opened.

116. That, as we have already heard, does not affect the general ventilation of the House?—It does not affect the general ventilation.

117. Was there a pipe having a large capacity carried throughout the entire length of the kitchen, and were adjustable valves placed in that pipe?—Yes.

118. So that the vitiated air is conveyed to the Victoria Tower and carried away from the kitchen to the Victoria Tower?—That is so.

119. That change was rather in the interests of those working in the kitchen?—Yes.

120. Then with regard to paragraph seven, as to the air intakes in the east or No Division lobby, has anything been done there?—The recommendation of the Committee has been carried out there. Two chambers were secured from the Vote Office which were formerly used as a repository for votes, papers, returns, and blue books; those have now been altered. The air is now taken in through the windows of those chambers and allowed to enter the No Division lobby.

121. As regards the Aye Division lobby what was done?—There has been no change there; but I propose that a slight alteration should be made where the tellers stand, so as to take off some of the air from there whilst the division is in progress.

122. I suppose since you made that change in the No Division lobby you have not had so many complaints from Members about the ventilation of it?—I have had no complaints.

123. Are there still some complaints as to the Aye Division lobby at that particular spot which you mentioned?—Yes; during a heavy division there is considerable crowding there after passing the barrier.

Chairman—continued.

124. You think you see your way to obviating that in the way you speak of?—Yes.

125. As to the alteration of the air inlets in the Commons lobby, what do you say?—That has been carried out. Perforated panels have been placed in two of the doorways, and the openings in the floor fitted with adjustable valves. As a general rule they are kept stopped up, but if there is anything exceptional in the crowded state of the lobby they are available.

126. You have not heard, I believe, since those changes have been made, so many complaints?—I have not heard so many complaints.

127. You sometimes hear a grumble still, I suppose?—Sometimes there are complaints, but the complaints apply rather to opening all the doors when a division is called. The doors are open all through from the Central Hall and the Ways and Means corridor to the Members' entrance, and then draughts are complained of; but there always will be draughts when the doors are open right through down to the terrace in that way.

128. They have to be opened to let in the rush of Members, I suppose?—Yes.

129. There is no means of obviating that?—No; and I do not think it is very necessary to avoid draughts in that case, because honourable Members as a rule are wearing their hats, and therefore they are not worse off than they would be out of doors.

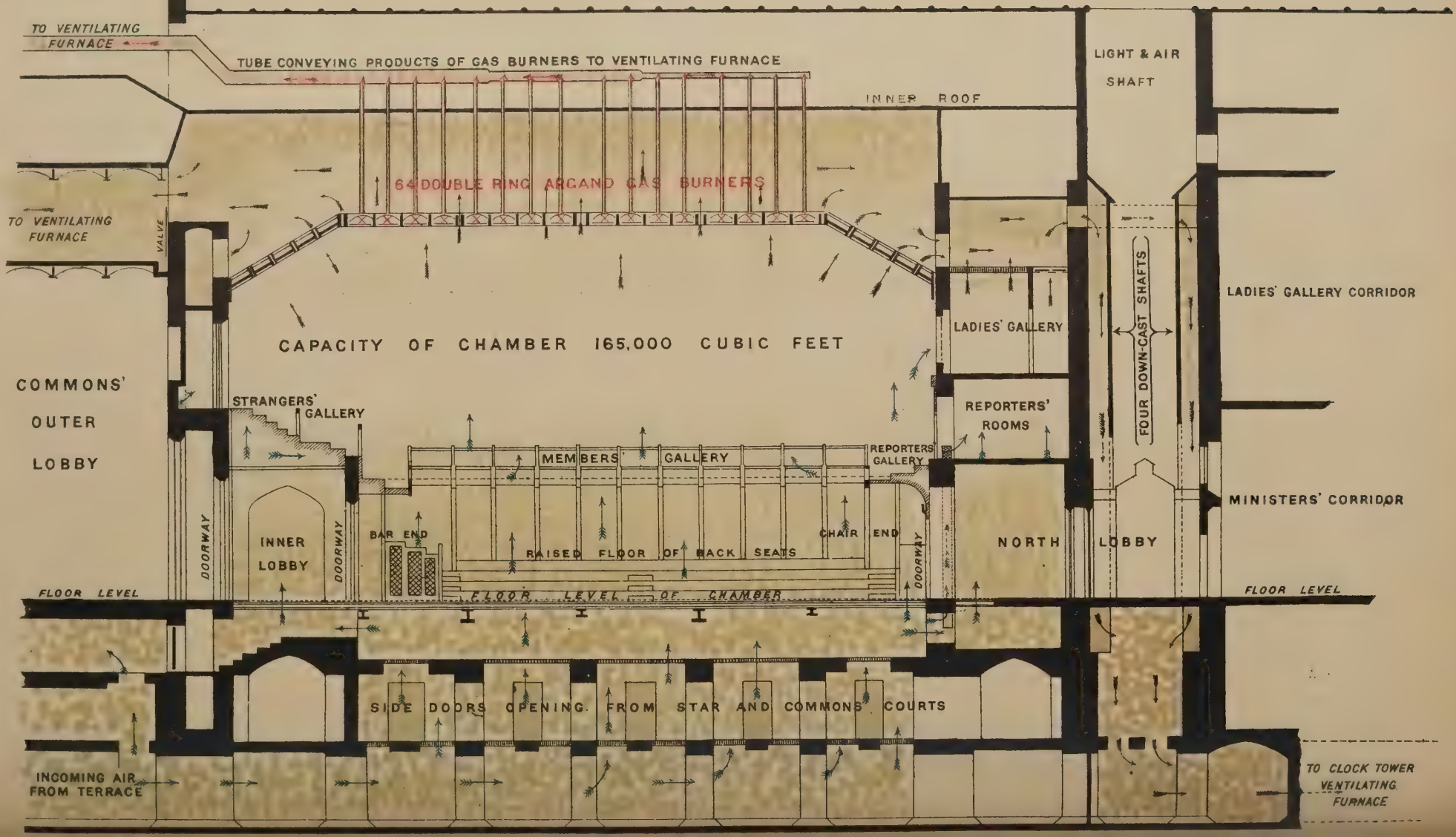
130. But there are some people who are not so protected, for instance the Ministers?—Yes, and also the officers of the House and the doorkeepers. We pay more attention to their recommendations and suggestions as they are obliged to be there for some time, while other people can move about.

131. Ministers also, I believe, are in the habit of being there without their hats, and are in like condemnation so far as that goes?—Yes.

132. With regard to the application of mechanical appliances for producing a plus pressure in the system of ventilation in the Debating Chamber of the House, the recommendation of the Committee has only been carried out to a limited extent, I believe; will you tell us to what extent it has been carried out exactly?—A fan has been put in for the purpose of forcing air into the House during foggy weather, that air being passed through cotton wool as a filter. There is also a machine that forces air into the House

HOUSE OF COMMONS VENTILATION.

Handed in by Mr. W. J. Prim.



Chairman—continued.

House in hot weather; so that there is a slight attempt at plus pressure, but only very slight.

133. And only applied on those occasions?—On those occasions only.

134. Would you describe the precautions you take in foggy weather, and how you carry out the system to which you have referred, of passing the air through cotton wool?—The louvres or openings from the court-yard are closed, and the Chamber as much as possible sealed against any fog coming in from the sides. Then the air is drawn from the terrace, passing through jets of water so as to deposit any smuts or heavy particles of fog. That air is passed by the fan through a layer of cotton wool six inches thick, whereby it is filtered, and it then passes up through the body of the House.

135. I believe after the cotton wool has been undergoing that process for some time it shows the effects of it in its colouring?—Yes, in a very short time. We have some samples of the wool which I can show the Committee. It becomes very black.

136. And full of an oily substance, does it not?—Oily and sooty.

137. With a very offensive smell?—Yes.

138. In fact, the smell of a very bad fog in the streets?—Yes.

139. Has the result of that process been to keep the Debating Chamber pretty clear of fog, except when the doors were opened and the fog rushed in from outside?—Yes.

140. I believe occasionally, at the beginning of a sitting, the Chamber has been quite free from fog when all outside the house was a thick black fog?—Not quite at the beginning of the sitting; the doors are all open previous to the sitting, and so the fog gets in; but a very short time after the House has commenced to sit the Chamber becomes clear.

141. That is because as long as you can keep the doors and windows of the House shut and work this plus pressure, driving the air through the cotton wool, you do succeed in practically dispelling the fog so far as the Debating Chamber is concerned?—In a very great measure.

Dr. *Farquharson.*

142. I suppose there would be a considerable difference in colour between the outer and inner layer of cotton wool; the inner is much whiter, I presume?—Much whiter; when changing the wool the inner layer is taken and put on the outside, and fresh wool put on the inner side.

Sir *Henry Roscoe.*

143. How often do you have to change the wool?—It depends upon the intensity of the fog. I have known the wool require changing after 48 hours, but that was some years ago, when we had nearly 48 hours' continuous fog; the wool was then perfectly useless.

144. During this last winter, when we have been visited with many severe fogs, what length of time did the wool last?—The cotton wool was changed three times during the winter.

145. Then the expense of making this arrangement is not at all great?—The changing costs about 20 *l.* each time.

Sir *Henry Roscoe*—continued.

146. So that we should get the air filtered for the winter for a cost of 60 *l.*?—Yes.

Chairman.

147. I believe there was some initial expense that you must also include, that is to say, the expense of the steam engine that works the fan?—Yes. I am now talking of the cost of working; the initial expense was some 200 *l.* or 300 *l.*

Sir *Henry Roscoe.*

148. Do you consider that the filter you now use is sufficiently large to enable you to get in the volume of air that is needed for a crowded night, for example?—No, it is not sufficiently large.

149. Have you any means of enlarging the area?—It can be enlarged; there is means of enlarging the area and extending it further along the vault.

150. Have you any proposal to make in regard to that matter of enlarging?—That was a question I was leaving over until it was decided what would be done in other directions with regard to the House.

Chairman.

151. What do you mean by "other directions"?—I understood some days ago, from Sir Henry Roscoe, that he would prefer a filter in constant use.

Sir *Henry Roscoe.*] That is what we are going to have an opinion about from you.

Chairman.

152. Before we go into that question, will you just give to the Committee a full description of the process by which the House is warmed in cold weather and cooled in hot weather?—I have got a sketch here which will make it much easier for the Committee to follow me (*producing a plan and laying it before the Committee*). In the ordinary working, drawing the air from the court-yard, the air comes through these doors, coloured blue, passing by steam batteries which run along here (*pointing to the plan*), by which the air is warmed. The air then passes through these gratings and up through the floor of the House, which is perforated all down the centre, and in various other parts. Then it ascends through the ceiling, passing in this direction (*describing*) down the four shafts (*pointing to the plan*), and goes through the basement, and discharges into the Clock Tower.

153. Where there is a very powerful upcast?—Yes.

154. That creates a pull which is constantly changing the air in the House of Commons?—Constantly changing it. Passing to the Clock Tower as I have described, the vitiated air goes in a northerly direction, but a portion also passes in a southerly direction through the ceiling of the Chamber by another pull, and goes to the other end: that is the Bar end of the Chamber.

155. Where is it carried to then?—It passes out into the open air?—There is a tower here (*pointing to the plan*) with a furnace at the base of the tower. The whole of these exit openings, at the south end, are regulated by a valve worked

Chairman—continued.

from underneath the House by means of a hydraulic lift. Similar valves are at the north end, also worked from underneath the House, by which the quantity of air extracted from the House can be regulated. But in addition to these extracting shafts, above the ceiling there are gas burners, 64 in number, by which the Chamber is lighted, from each of these burners a vertical tube rising, vitiated air and the products of combustion are carried along by means of a horizontal tube to the ventilating furnace.

156. Where do they find issue then?—Through the top of the tower.

157. Then as I understand there is not only a system of ventilation all along the whole length of the roof, which is perforated for the purpose, but there is also a powerful pull at each end of the Chamber at the top of the walls?—Yes.

158. By means of that triple egress of the air you keep the air which is breathed by the Members in the Debating Chamber constantly in a state of change?—Yes, constantly in a state of change.

Sir *Henry Roscoe.*

159. Can you tell us the number of cubic feet of air per minute that you are sending into the Chamber or that is passing out of the Chamber?—Yes, I have got a note of it here. On the second reading of the Government of Ireland Bill on the night of the 7th–8th June 1886, the quantity of air supplied to the House of Commons was 1,200,000 cubit feet per hour, while the number of persons in the Chamber at the time of the division was 905, made up as follows: the number of ayes were 311, and noes 341; Speaker and Tellers, 5; total, 657: strangers, including occupants of Ladies' Gallery, 237; clerks, doorkeepers, and attendants, 11; total, 905. Thus the air supply per individual was at the rate of 1,326 cubic feet per hour, or 22 cubic feet per minute, while the cubical contents of the Chamber being 165,000 cubic feet, the air therein was changed every 8¼ minutes, or 7·272 times in an hour. On this occasion the temperatures of the Chamber and out of doors were as follows: At 4 p.m. the temperature out of doors was 65°, and in the Chamber 63°; at 5 p.m. out of doors it was 65°, and in the Chamber 65°; at 7 p.m. out of doors it was 64°, and in the Chamber it was 67°; at 10 p.m. out of doors it was 59°, and in the Chamber 64°; at 1 a.m. out of doors it was 56°, and in the Chamber 67°. The increased temperature of the Chamber at the hours of 10 p.m. and 1 a.m. is, in a great measure, attributable to the crowding of Members at the Chair and Bar ends of the House where the thermometers are fixed. You may often have noticed that Members crowd very much to those two places, and, consequently, the thermometers rise.

160. Your inference is that in other parts of the House the normal temperature of 63° or 64° was probably kept up?—There would be an increase, but not so high as 67°; it might be perhaps 65°.

161. You mean to say, I presume, that at the place at which the temperature was tested the temperature was probably higher than at other

Sir *Henry Roscoe*—continued.

parts of the House?—Yes, I should say by two degrees.

162. Is it not the fact that all day and all night, when the House is sitting, attendants are going about from time to time (I do not know at what intervals) testing the temperature?—A man goes round and takes the temperature of that part of the building in connection with the House of Commons once an hour. He records those temperatures and hands the record to an attendant under the House, who also records the moisture of the air, which is taken by a hygrometer, and other temperatures, on this return, and these are entered in a book; so that a record is kept of temperature taken every hour of every day during the Session.

163. By means of the machinery of valves and other processes for changing the state of the atmosphere you are able, as a matter of fact, to keep the temperature of the House at an equable rate of about 63°, are you not?—From 62° to 64°; but we are sometimes asked, when the House has been sitting for a long time, to raise the temperature and to keep the temperature high as the night advances. No doubt Members get tired and require a little more warmth.

Mr. *Richard Power.*

164. Who asks you to do so?—The Serjeant-at-Arms sometimes, but generally the Speaker. In fact if an individual Member were to ask me, I would refer him to the Speaker. We have a number of complaints that the House is too hot, and also but not quite an equal number that it is too cold.

Chairman.

165. Those are exceptional cases due to the individual's own constitution?—Yes.

Mr. *Richard Power.*

166. It is only the Speaker and Serjeant-at-Arms who have the regulation of the temperature?—The Speaker really has the regulation of it.

167. If it is too hot I suppose we must blame him?—That does not always follow.

Chairman.

168. Will you tell us what is your process for heating the air in cold weather and cooling it in hot weather?—In cold weather as the air enters it passes through a steam arrangement called a battery. The advantage of those batteries is, that they are very soon warmed and very soon cooled.

169. Will you explain what you mean by a battery?—The name was given I believe by the inventor, Sir Goldsworthy Gurney; he introduced them first here. The batteries consist of a number of plates fastened on to a steam pipe; the steam pipe warms the plates by conduction; then the air passing between those plates becomes warmed and enters the House. There is a ready means of cooling the air simply by placing a cloth over these plates so that the air between the plates cannot escape,; then the air enters the House without being warmed.

170. Then

Chairman—continued.

170. Then in hot weather what do you do?—In hot weather, practically, we draw the air from the terrace. The terrace being on the east side of the building the sun is soonest off it, and as the House sits in the afternoon we get least sun upon the terrace. The terrace is watered, and the air passing through the Chamber underneath is cooled by means of jets of water. Then it passes through or round blocks of ice and is forced up into the Chamber by means of an air pump.

171. So that practically you succeed in keeping the Debating Chamber of the House of Commons at all times of the year, whether the temperature outside is hot or cold, or whatever it may be, at an equable temperature of between 62° and 64°?—Not in very hot weather, for then the temperature of the House of Commons is kept some five or six degrees below the outside shade temperature. The Chamber, at a temperature of 62° or 64°, when the outside shade temperature is high, would be considered rather an ice-well by persons coming in out of the heated air.

172. With that exception you do keep an equable temperature of 62° to 64°?—Yes, with that exception.

Sir *Henry Roscoe.*

173. How do you propose to make the alteration in the system so as to introduce the plus pressure we have been speaking about into the Chamber. Mr. Taylor has told us that the cost of the alteration would be about 200 *l.*; will you tell us what your proposal is with regard to that, because I think he did not enter into the details of it?—To get a greater number of air inlets at the terrace, enlarging the passage from the terrace to the House, and also to make the doors of a tighter fit, so that the air might go into the House instead of escaping through other doors into the court-yards. At the present time, air is drawn sometimes from the court-yards, and sometimes from the terrace; but if we draw entirely from the terrace and have a plus pressure, this pressure ought not to be allowed to escape into the court-yard.

174. Do I understand you to prefer to take the air from the terrace always than from the court-yards if you have a sufficient supply of openings towards the terrace?—It is more convenient for working any mechanical arrangement such as a fan or air pump.

Chairman.

175. Why is that?—As regards the court-yards, drawing it at each side would be too close to the House; the noise would be heard. It would be difficult to work a steam-engine fan, or other machine so close to the House; without the noise being heard in the Chamber.

Dr. *Farquharson.*

176. Is not the air likely to be purer?—I consider the terrace air the purer.

177. You propose to take a larger supply of air from the terrace, as I understand, and to close up the doors on the other side, to prevent the egress of air out of the House again; and then you require to have a more powerful fan?—We should require a more powerful fan or propeller.

Dr. *Farquharson*—continued.

178. Do you consider that would be an improvement upon the present system?—I think on the whole it would; the present system draws its air from where it can best get it.

179. And sometimes those sources are not of the purest character? — They are not of the purest character; whereas if we take entirely from the terrace, as a general rule, it is the best air about the building; we are freer from dust on the terrace.

180. And freer from any accidental impurities, such as are referred to in the recommendations in the last Report of the Committee?—We are very liable to get bad air from passing barges and steamboats from which smoke is drawn into the building, and also from the many works at the other side of the water, if the wind is in that direction; during a south-easterly wind we occasionally get smoke and fumes from the potteries.

181. On the whole, in spite of these drawbacks, do you prefer the air from the terrace to the air from the courtyard?—Yes.

182. Having got the air from the terrace, what next is necessary, supposing the alteration were made?—To regulate the outlet at the roof, or ceiling of the House, so as to keep the pressure greater, or an excess of air in the Chamber beyond that in the lobbies and other parts of the building; then the foul air would escape at the top through the ventilating tubes from the gas burners.

183. Do I understand you would require a larger fan?—We should require a larger fan or propeller.

184. What quantity of air would you need to be able to pass into the House by means of the enlarged fan?—About 25,000 cubic feet of air per minute.

185. Can that be easily obtained by having a fan?—Yes.

186. Without fear of any noise from the vibration of the air?—Yes, by having a larger fan; we have at present a fan that will propel that quantity of air, but it causes a humming noise and a vibration in the air which is very unpleasant when driven at a great speed; by having a larger fan it would be driven at less speed, and consequently that humming noise would be avoided.

187. In your opinion would such a change be desirable?—I think so; we would have more command over the air than we have at present.

188. As an engineer I suppose you are aware that the use of fires for the purpose of obtaining a pull or ventilation with a minus pressure, which is largely used, of course, in coal-pits, is now being given up?—Yes.

189. And that they are now employing nearly everywhere fans for the purpose?—Yes; but then in coal-pits there are very powerful draughts, and the men who are working there rather like the draughts. Furnace ventilation, however, is almost entirely given up in coal mines. With a plus pressure the openings into the House ought to be increased; otherwise draughts will be more noticeable than they are at present.

Chairman.

190. Do you think that the experiment of the plus system could be tried without increasing the draughts which are sometimes complained of

Chairman—continued.

even as it is?—I should recommend enlarged openings into the Chamber of the House itself. The tendency of late years has been to restrict the openings; consequently the air comes up much faster through those that are left; whereas if the openings were enlarged, the draught would not be so noticeable.

Sir *Henry Roscoe.*

191. You mean in the floor of the House, for example?—In the floor of the House, but also by bringing air in at other places besides through the floor.

192. Which you have means of doing at the present time?—Air could be brought in underneath the galleries. At present some of the air is taken in over the galleries.

193. Can we see that on this plan?—I can show it to you. This is a cross section of the House, and these are the galleries here (*pointing to the plan*). These are the benches on the floor of the House. The air is not only taken up through the floor, but it comes up flues and discharges here under the seats in the gallery (*pointing to the plan*). I would propose that the air be taken in through the fretwork under the gallery. Bringing the air beneath the gallery would be less objectionable than bringing it at the floor level above the gallery.

194. Will you explain why?—Because at the floor level above the gallery the air strikes directly against the Members' feet; whereas bringing it in below the gallery the air will enter above the heads of the Members.

195. Would that new supply be, in your opinion, sufficient?—I think it would be an advantage to have a supply at each side behind the Speaker's chair. At present one side is partially open and the other side is entirely closed. The supply should be similar to that at the Bar end of the House.

196. Inasmuch as many Members congregate there frequently, there is an insufficiency in the supply of air there?—Yes.

197. That is at the Speaker's end?—Yes. There is a supply at the Bar end, and it should be similar at the Speaker's end.

198. What effect would this change have as regards the Ladies' Gallery and the Reporters' Gallery?—The Ladies' Gallery, as seen from this diagram, is supplied with air entirely from the House, which is in a great measure vitiated before entering the Ladies' Gallery. I propose to use some flues that run up in the thickness of the wall, and which were used formerly for supplying the Ladies' Gallery, but are now stopped up, having being found inconvenient. I propose opening those flues into the House above the heads of the reporters; and then the Ladies' Gallery would receive a supply of fresh air above, instead of receiving the air from below the reporters.

Chairman.

199. In point of fact there would then be a current of perfectly fresh air going into the Ladies' Gallery?—There would.

200. Would not that interfere with the ventilation of the rest of the Debating Chamber?—

Chairman—continued.

No, not in the slightest. The Ladies' Gallery is now supplied with air from the House; the vitiated air from the Ladies' Gallery passes out through the ceiling.

Sir *Henry Roscoe.*

201. That supply of air would run along the front of the Ladies' Gallery?—Yes.

202. There would be a column of fresh air coming up and entering the Ladies' Gallery, not from one point, but for the whole length?—For nearly the whole length.

Chairman.

203. Is there anything else you would like to say as to the effect of this plus pressure upon the Debating Chamber?—I think not.

Sir *Henry Roscoe.*

204. Is there sufficient ventilation in the Strangers' Gallery?—I think so.

205. There is a plentiful supply of fresh air there, is there?—Yes.

206. Does the air from the Strangers' Gallery pass into the main mass of the air of the Chamber; is there any means of taking the vitiated air from the Strangers' Gallery away from the main mass of air in the Chamber?—Yes, there is.

207. Will you explain how that is done?—The vitiated air from the Strangers' Gallery passes through the gratings into the strangers' corridor at the back of the gallery, from whence it passes through the ceiling into the vitiated air chamber above the ceiling of the House.

208. Where does the fresh air supply come from for the Strangers' Gallery?—It comes through upright channels from beneath the House, underneath the gallery.

Chairman.

209. Has that air not been used in the House before it is used by the strangers who are in the gallery?—That air has not been used, but a large portion of the air that the strangers breathe has already passed through the House.

210. That does not seem to agree with what you just now said?—I meant that some of the air for the Strangers' Gallery comes in by this upright channel, but some also comes up through the House.

211. Would it be possible to improve that, so that no part of the air used by the strangers would have already passed through the House in the lower part of the Debating Chamber?—I think not; because supposing this to be the pit of a theatre, and these the boxes (*pointing to the plan*), it would be very difficult, without strong draughts, to admit air into the boxes while excluding air arising from the pit.

212. At the same time it is true that perhaps the greater part of the air which so comes up from the lower part of the House has never been breathed at all; it is only a very small portion of the air which has actually passed through the lungs of Members; is not that so?—That is so.

213. It

Sir *Henry Roscoe.*

213. It would be easy to calculate what that quantity was, would it not; taking the figure you gave us, of 1,200,000 cubic feet supplied per hour to the House of Commons on the day you made your experiment, it would be easy to calculate the proportion of the total 1,200,000 that went through the lungs of the 900 persons who were present. It would form a very small proportion, would it not?—Yes. The difficulty would be to say what passed up through the unoccupied portion of the floor, and passed through the ceiling without being breathed at all.

214. We could easily calculate the quantity of air that each man of the 900 would require, and it would be easy to multiply that by the total number of persons present, and so find the amount that actually passed through the lungs of the persons. That would be a very minute fraction of the total amount that passed into the House on that particular occasion, would it not?—That is so.

215. And on an ordinary occasion it would be found to bear only a small ratio, as the Chairman says?—Yes.

Dr. *Farquharson.*

216. I suppose you are the receptacle of a great many complaints when the air is bad; do you get complaints occasionally of bad smells in or about the House?—Occasionally. Very frequently the smells are from the smoke shafts; sulphurous smells.

217. Some of the smells would be, as you pointed out just now, from passing barges, or some other accidental source of impurity?—That is so. It is very difficult to trace it, because if it comes from a passing barge, the barge might be half-a-mile away before we got round to trace anything about it.

218. We had evidence before this Committee last time they sat to show that, at all events, some of the great manufactories in the neighbourhood do not vitiate the air. Sir Henry Doulton came before us, and pointed out that he, at any rate, did not do anything of that sort at his manufactory?—Yes.

219. I have heard a great many complaints about the ventilation of the lobby where the post office is; indeed, the complaints seem to me to centre very much upon that part of the House; have you had any complaint about the ventilation there?—I have not had complaints of late since the gratings have been put in in the sides of the doorways.

220. What is complained of is want of air, and the irregularity of the current; that it is sometimes hot and sometimes cold, and I think in conversation you gave me the explanation that the opening of the doors (which, of course, frequently happens there) rather interferes with the system of ventilation?—I have had no complaints of cold in the lobby: it is generally the other way; except from Members who do not approve of the windows being open; the lobby windows are opened very frequently; but we have complaints of draughts.

Chairman.

221. Why do you open the lobby windows?—Some Members consider that they do not get air unless the windows are open; they like to see the windows open.

Chairman—continued.

222. In point of fact, the opening of the windows rather interferes with the ventilation, does it not?—It interferes with the ventilation of the lobby. In the corridor it does not, but in the lobby it does, because the air comes in direct from the windows, and passes up through the ceiling, thus taking the place of the vitiated air.

Dr. *Farquharson.*

223. You have been talking about the air from the terrace, which you consider to be the best source of supply. I daresay you are aware that some Members think the system ought to be reversed, and that instead of taking the air from below you ought to take it above, and bring it down) have you any opinion to give upon that point?—I consider that in London you would get worse air from a high elevation, unless you went very high, say some 400 or 500 feet. At such elevations as we could command, I think we would get worse air than at a lower level.

224. Why should you say so?—Because there would be more sulphur in the air, and more smuts.

Sir *Henry Roscoe.*

225. You would run the risk of getting some of the products of combustion from your chimneys and furnaces?—Yes, and not only from them, but from all the surroundings. Some years ago I made an experiment, not a chemical but a mechanical experiment, with regard to that point. I had a number of frames of wood covered with blanketing material put at different elevations, one on the top of the clock tower, and another on the highest roof, and others at various heights down to the court-yard. I left them in that position for several hours, I think for about five hours, and then examined them, and I found more smuts at high elevations than at the low, but on the level of the court-yard there were considerable quantities of dust. I came to the conclusion that, so far as the smuts were concerned, they were fewest at about from 30 to 40 feet from the ground. But independent of that, by taking air for this building at a high elevation, we should not only have the contamination from the chimneys, but also from all the soil pipes that are ventilated above the level of the roof. We should either have to go considerably higher, or keep at the lower level; therefore, on the whole, I think that from the terrace is about the best air that we can get.

Chairman.

226. That is to say, you do not find the dust hanging so much about the terrace as about the court-yards?—No; we can wash and water, and keep it clean.

Mr. *Richard Power.*

227. You may remember that the last Committee which sat upon this question recommended that all the water-closets should be overhauled and examined?—Yes; all the water-closets have been overhauled. Mr. Jones can give evidence about the water-closet drains, if desirable.

Mr. *Richard Power*—continued.

228. Is there not a water-closet in the corridor which leads to the Ladies' Gallery?—There is a water-closet at the back of the Ladies' Gallery, but I do not know of any water-closet in the corridor.

229. Do you know if that was overhauled or examined?—I should say that all were done.

230. There is great complaint from everybody who goes there, and they say there is a fearful smell?—Mr. Jones now informs me that it has been done; that every one of them throughout the building has been done.

Sir *Henry Roscoe.*

231. I have heard a good many complaints about the character of the air in the Chamber; many people complain that they feel it heavy and exhausting; have you heard complaints of that kind?—Yes, frequently.

232. Could you give your view, or have you any view, as to the origin or source or character of those complaints?—I spend as many hours, both in the Debating Chamber and the chamber underneath, through which the air passes, as any person, perhaps, except, I may say, the Speaker or the Chairman of Committees. I suppose those

Sir *Henry Roscoe*—continued.

two gentlemen each spend a greater number of consecutive hours there than I do, as I move about and they are stationary; but I never found what is complained of. I can quite understand a Member, after being for a number of hours in the Chamber, feeling exhausted; I suppose he would be so in any other chamber. Mr. Cowen, some years ago, I think when the House was in Committee, mentioned that he did not know of any building that took more out of a man than the House of Commons. I took occasion, some time afterwards, to ask him if he had ever spent as many hours in any other building. I said: "Supposing you went to church and stopped there eight or nine hours, would you not be very weary; or if you went to the Royal Italian Opera, to the best opera that was going, and spent eight or nine hours there, would you not be weary?" and he admitted that no doubt he should be so.

Dr. *Farquharson.*

233. Do not you think that if we were sitting in the open air, carrying on the same sort of business that we do in the House, we should be very weary too?—I think so.

Friday, 3rd July 1891.

MEMBERS PRESENT.

Dr. Farquharson.
Sir Guyer Hunter.
Mr. Plunket.
Mr. Richard Power.
Sir Henry Roscoe.

THE RIGHT HONOURABLE DAVID PLUNKET, IN THE CHAIR.

Mr. WILLIAM JACOB PRIM, re-called; and further Examined.

Chairman.

234. WILL you tell us what are the present arrangements for ventilating and warming the Committee-rooms?—I have prepared a sketch to show the general arrangements; this is not strictly accurate, but it shows the general arrangements so that you can follow me as I describe them (*producing a plan, and placing the same before the Committee*). The air is taken in from the Terrace and comes through an area at the bottom and passes along into the passage, from which it rises up here and can be warmed by the heating apparatus here (*pointing to the plan*). Then the warm air ascends through these shafts, and also passes along into these rooms below. This sketch is a section taken through Committee-room No. 8 and the Members' Upper Smoking Room immediately under the Committee-room, also through one of the Ministers' room below.

Sir *Henry Roscoe.*

235. Does this represent the arrangement as at present worked?—Yes.

236. It shows, not what you propose, but what exists?—Yes. Then the air enters the Ministers' room through the opening in the skirting and also beneath the window. The air for the Smoking Room ascends these passages and also comes in through the skirting and beneath the window. The air for the Committee-rooms comes up this flue (*pointing to the plan*), passes under the floor and comes into the room through the skirting, and, in some cases, through the cabinet at the back of the Chairman's Chair.

237. Those are the Tobin tubes which have been referred to?—Yes, the so-called Tobin pipes. This flue also carries air into the Commons Committee-rooms' corridor direct, and the air is discharged underneath the seats in the corridor. The air for Grand Committee Room E., at the back of the Members' Smoking Room, is taken along this passage (*pointing to the plan*) through a tube and ascends through the floor into the room itself.

Chairman.

238. Where does it go out?—It passes out through the ceiling and down this shaft, and passes along to the Victoria Tower at the base of which there is a furnace.

239. Before you go further let me ask you, are these different shafts which feed the different rooms you have spoken of, one above the other, so arranged that the air used in any one of these rooms mentioned, has not passed through any of the other rooms that are placed below it?—That is so. The vitiated air commencing at the basement in the Ministers' room is carried into the chamber here (*pointing to the plan*) and ascends through a vertical shaft till it reaches the roof. Similarly the vitiated air from the smoking room ascends into a shaft reaching the roof, and also the air from the Committee-rooms ascends into a shaft which also reaches the roof.

240. Are all these shafts so arranged that none of the vitiated air can get back into the other rooms which are above the room where it has been used?—It could not unless there was a down draft from the main vitiated air shaft.

241. Does that ever happen, in your opinion?—Occasionally.

242. What is the reason?—For instance, if there were draughts out of this room and there was a strong wind out of doors, occasionally there is a down draught from overhead.

243. Does that often happen?—Not often.

Mr. *Guyer Hunter.*

244. That is to say, if the windows were open?—Yes.

Sir *Henry Roscoe.*

245. You mean, I presume, that the draught from the fire at the bottom of the Victoria Tower is insufficient to overcome the inlet of air which takes place below it?—Occasionally that is so.

246. How can you obtain evidence of such a state of things occurring?—By blacks blowing down from overhead, and also by going into the shaft overhead you can feel the direction of the air.

247. Is there any means of preventing that?—Yes, by placing back valves to prevent a back draught.

248. Have such back valves been placed already?—In some places.

249. Not in all?—Not in all.

Chairman.

250. Why have they not been placed in all the places?—We are gradually doing it; but also there is this reason that the back valve in a very great measure checks the outlet, and if there is not sufficient pull at the outlet, the back valve will

Chairman—continued.

will always remain closed. But in a great many cases the back valve will work very well.

251. It is a self-acting valve, I presume?—It is a self-acting valve, so made, that if pressure comes on the back of the valve the valve should close.

252. Is there any reason why you should not remove the causes whatever they are, which lead to the vitiated air being driven down again into the Committee-rooms?—That we propose to do when this Committee decides on certain remedial measures.

253. In case the Committee should recommend you to do it, may I take it that you know how to do it, and you would be able to do it before next Session?—Yes.

Sir *Henry Roscoe.*

254. I understand you would be able to point out to the Committee where you would put these back valves?—Yes.

255. Could you prepare a plan for us by the time the Committee next sit showing the arrangements you propose?—Yes. As I said just now, the air is drawn through the ceilings and passes into this horizontal shaft; it runs from No. 1 Committee-room up to No 13. The horizontal shaft runs overhead over the Committee-room corridor, the vitiated air from that shaft is drawn down the shaft, or down-pull, till it reaches the basement, from whence it passes to the furnance at the Victoria Tower.

256. Is there any back draught from the Victoria Tower furnance?—No; but we have at the Victoria Tower furnace these valves I have been speaking of, arranged so as to prevent one furnace pulling against the other when we have two furnaces going. In very hot weather we occasionally have two furnaces going, and if the first furnace should be more intense than the second, the one would pull against the other instead of pulling the air from the building.

257. Where are the two furnaces?—In the angle towers of the Victoria Tower. We have two angle towers in the Victoria Tower, and a furnace at the base of each.

258. They do not pull all on the same volume of air I presume, but they pull on different volumes?—They both pull from the same horizontal shaft or gallery as these furnaces also ventilate the House of Lords.

259. In that case you do not require any fresh arrangement to be made; you have got these valves as I understand?—We have got these valves below but not above. This system only goes as far as No 13 Committee-room, but from No. 13 to No 19 there is a different arrangement; we have not got so good an arrangement there. From No 13 to No 19, or you may call it No 20, Committee-room (I mean the Committee Clerk's room), the air ascends into a vertical shaft over the centre of the river front.

260. You do not consider that so good an arrangement as the other?—It is not so good an arrangement.

261. How can that be improved?—By placing these back valves across the vitiated air shaft.

Sir *Henry Roscoe*—continued.

262. At all events, you will be able to show us at the next meeting of the Committee what you propose to do?—Yes.

263. Do I understand that these same valves must be placed on the shaft leading to the Clock Tower?—No, that is not necessary. Neither at the Victoria Tower nor at the Clock Tower are they necessary. There is sufficient pull there to prevent any back draught except at the Victoria Tower, where one furnace might pull against the other, as I said before.

Chairman.

264. As a result of this part of your evidence, may I take it that this back draught only occurs occasionally?—Only occasionally, in very high winds.

265. But you will be able, as I understand, by completing the system of valves, to entirely obviate that when you get time to do it, and if we should recommend that to be done, it could be done during the Recess?—Yes, I think so.

266. By the time the Committee next meet you will be able to show us exactly how you propose it should be done?—Yes. I should like particularly to point out that this area here (*pointing to the plan*) is to supply all the fresh air for this large block of buildings. I have drawn up a table as regards the ventilation of the Committee-rooms which shows the point, which I should like to put before the Committee.

267. Will you hand it in?—Yes. (*The same was handed in.*)

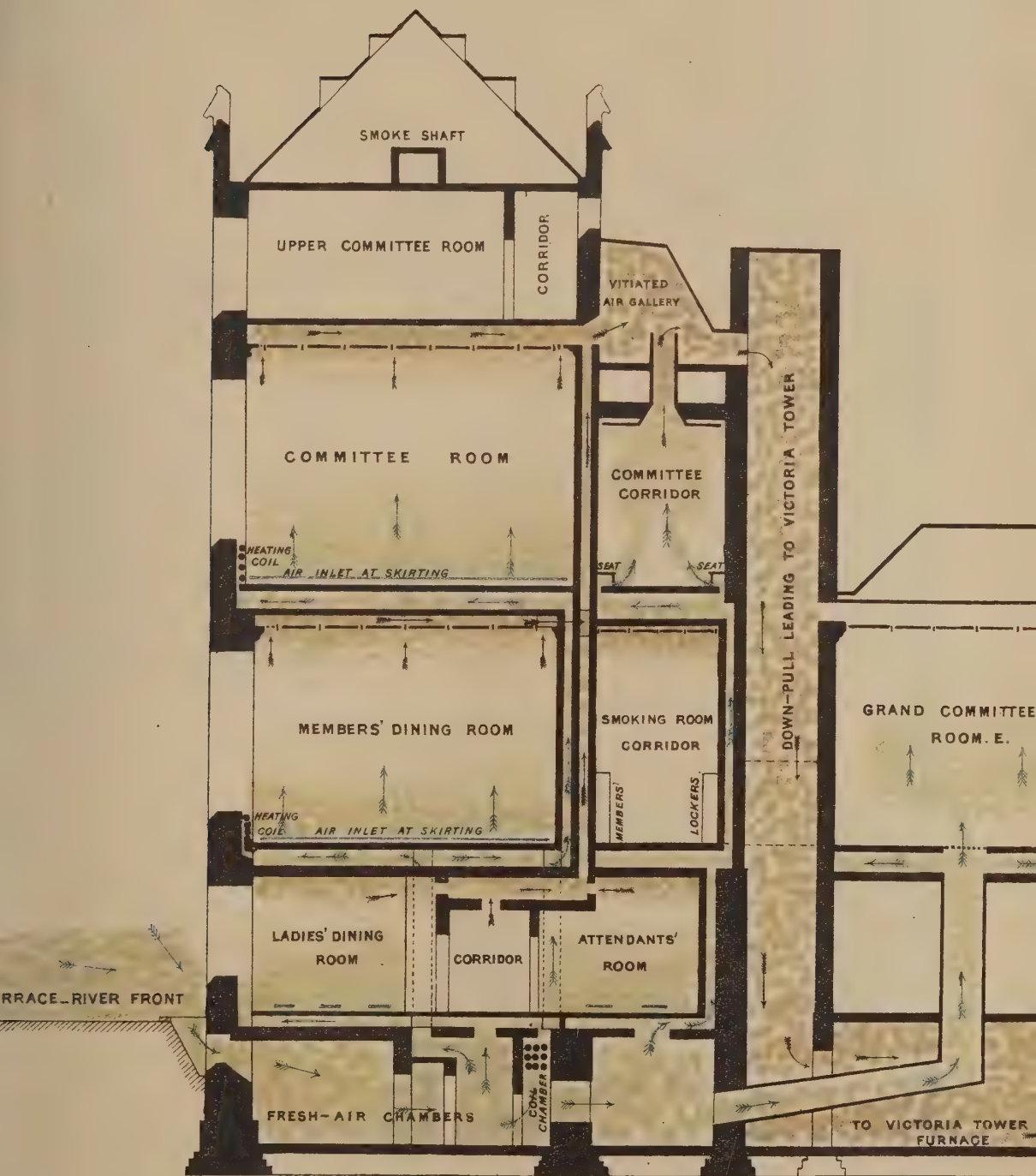
268. Will you tell us what that table shows?—The first column gives the number of the Committee-rooms. The second column shows the capacity of each room in cubic feet. The third column, or A. column, shows the area of inlet in square feet into air chamber. It will be seen at once that those areas are very very small, but I will deal with that afterwards. The fourth column shows the area of the inlet in square feet into the room. That in a great many cases is smaller still. Then, the fifth column, Column B., shows the area of outlet in square feet. Comparing those two columns the disproportion will be seen at once. If we take the first line, No. 1 Committee-room, the area of inlet is seven square feet, but the area of outlet is 29 square feet, so that supposing the Committee to be sitting in that room, and the Chairman causes everything to be open, we admit the air through seven square feet. but we pull it out through 29 square feet. Then the question arises where does the air representing the difference between the seven and the 29 square feet come from? It comes through the windows in the shape of a draught; it comes through the doors when they are opened, from the crowded corridor; and if it cannot come in any other way, it comes down the chimney. So that the areas of inlet and outlet are altogether disproportionate. Then this table shows in the next column the relation of area of inlet A. to capacity (that is one square foot of inlet to capacity in cubic feet). Similarly in the next column the relation of area of outlet B. to capacity is shown. That comparison shows at once the difference between the inlet and outlet. Then in the next column I show

Handed in by Mr. W.J. Pri

COMMITTEE ROOM VENTILATION.

SECTION THROUGH DOWN-PULL

Approximate Scale ⅛ in.= One foot.



hting & Ventilating Dep.t
Houses of Parliament.

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Handed in by Mr. W. J.

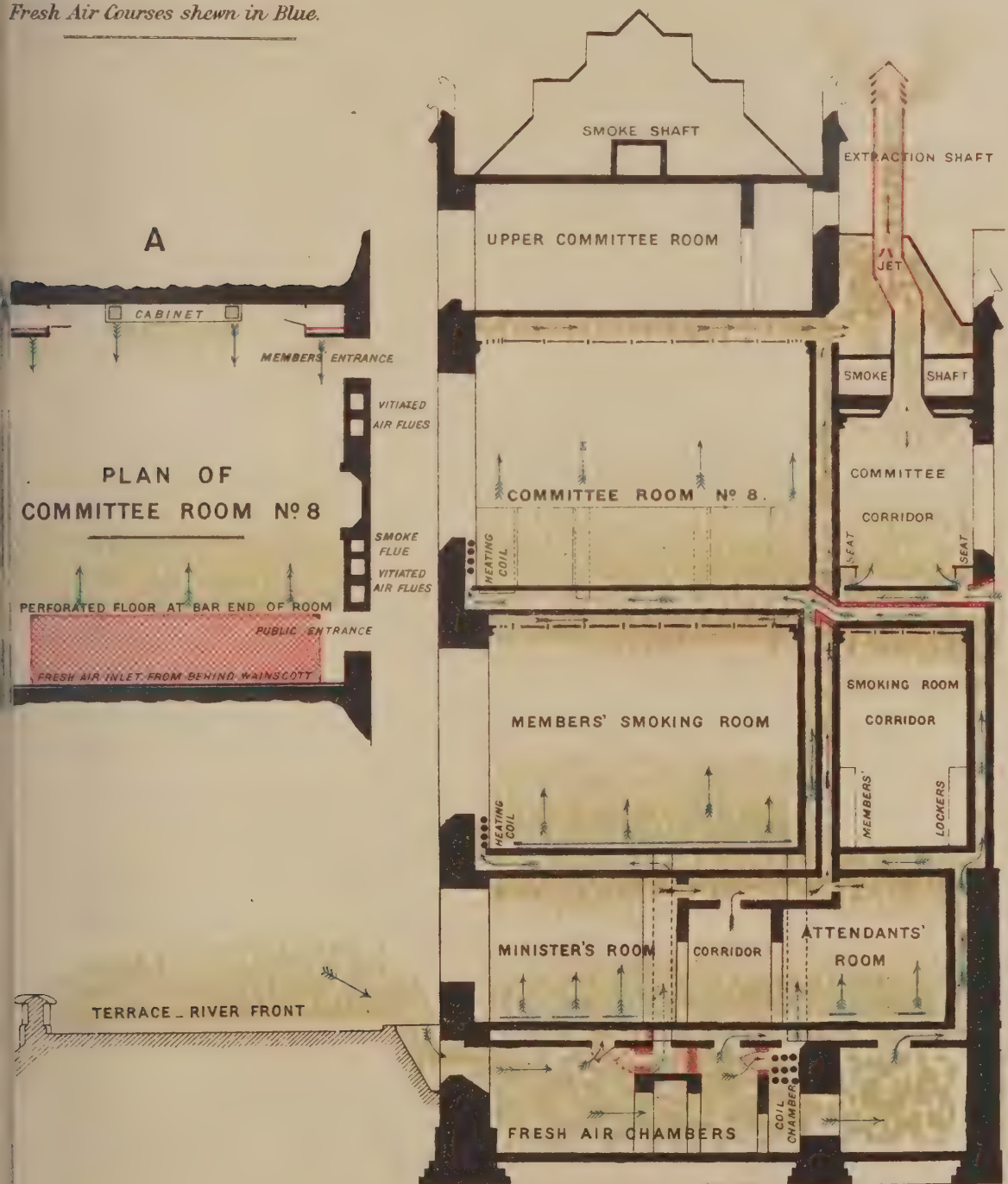
COMMITTEE ROOM VENTILATION.

SECTION & PLAN THROUGH No 8 COMMITTEE ROOM.

SHEWING PROPOSED ALTERATIONS.

Approximate Scale ⅛ in.—One foot.

Structural Alterations shewn in Red
Fresh Air Courses shewn in Blue.



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Chairman—continued.

show the mode of distribution of air in the room. In some cases it is at the skirting; in other cases it is at the skirting, above the wainscoting, and also through flaps in the cabinet. The last column contains my remarks. I observe that the total area of inlet at the Terrace to these Committee-rooms (that is Nos. 1, 2, 3, 4 and 5), their corridors, the whole of the Peers' Libraries, and their corridors, is only 18½ square feet. Then taking the next two rooms (that is No. 6 and No. 7) the total area of inlet at the Terrace to these Committee-rooms, A. and B. Committee-rooms, Peers' Dining-rooms, and their corridors, is 9¼ square feet. If you take the 9¼ square feet, and take the immense outlet that there is for the Committee-rooms alone, the inlet bears no proportion to the outlet. Then further on, with regard to Nos. 8 and 9 Committee-rooms, I observe that the total area of inlet at Terrace to these Committee-rooms, Members' Smoking, and Grill Rooms, Grand Committee-room E., and their corridors, is 27 square feet. Then with regard to the Grand Committee-room (that is Nos. 10 and 11 rooms) the total area of inlet at Terrace to this room, Members' large Dining Room, Terrace, dining and private dining rooms is 9¼ square feet. Of course it may be said that in a great many cases the Committees are not sitting when the dining rooms have their principal business going on, and we shut up in great measure those rooms which are out of use. But still unless you open the windows through the night those rooms do not get fair play. Then in the case of Nos. 12, 13, and 14 Committee-rooms, the total area of inlet at Terrace to these Committee-rooms, Ministers' Dining Room (that is the small dining room), Library, Map and Oriel Rooms, dining room, Corridor, and new Smoking Room in basement, is 35 square feet. Then again the total area of inlet at Terrace to Nos 15 and 16 Committee-rooms, A. Library, Members' Reading-room, Terrace Smoking-room, and Corridor is 25 square feet. Then as regards Nos. 17, 18, 19 and 20 Committee-rooms, the total area of inlet at the Terrace to these Committee-rooms, Members', Tea room, B. and C. Libraries, Minister's and other rooms (12) and their corridors is 46 square feet. As we approach the north end of the building there is a better inlet of air but nevertheless it is insufficient.

269. Do you see your way by the process of utilising certain rooms in the basement storey which are now in use for the purposes, I think, of storing papers to obtaining such an amount of air from the Terrace through these rooms which you would so take possession of as would redress the inequality between the inlet and outlet of air so as to give you the means of properly ventilating these Committee-rooms?—Yes, with a slight exception and that I think might be got over by taking air also in one of the archways leading from the court yard to the Terrace as I pointed out to you a few days ago. I think then we would have sufficient air for the Committee-rooms and also provide for a sufficient air inlet for the House of Commons, because, although this return deals only with the Committee-rooms, the air for the House of Commons when supplied from the Terrace has to come through areas which

Chairman—continued.

I have not mentioned here, but which are insufficient; and therefore we would have to take some of the areas that now supply the Committee-rooms and devote them to the House of Commons.

270. But still, if you got all these rooms in the basement storey which you have asked for as well as the other place you indicated to me the other day, that would give you sufficient area?—That would give sufficient area.

Sir *Henry Roscoe.*

271. Would you be able at our next meeting to give us the actual area that you propose now, supposing you get these rooms; could you show us in the form of another column added to this table the actual amount of area that would be available in each of these cases?—Yes; the table would then give the present and the prospective area in each case.

272. That will give a perfectly clear explanation of what you are proposing to do?—Yes.

273. Supposing you get the increased area of inlet have you considered whether the amount of air space passing along the flues into these rooms is sufficiently large. It seems to me useless to increase the inlet at one point, if between that inlet and the various rooms, the size of the flue is insufficient to carry the amount of air which you can get in by that increased area?—That is so in great measure; but some remedial measures would have to be resorted to for increasing that as well as for introducing the air into these rooms.

274. So we understood from Mr. Taylor on the last occasion?—It is no use bringing the air under the floor of the rooms unless we get it into the rooms.

275. Could you, by the time of the next meeting of the Committee, give us an account of what you are proposing to do in that respect?—Yes.

276. To take an illustration from railways; at many of the railway stations you have got a bottle-neck, and your traffic is confined by that bottle-neck; unless you widen the whole thing it is very little use widening a portion of it?—It is very little use.

Chairman.

277. That was part of your scheme, was it not?—Yes.

278. And was included in the estimate of expense which Mr. Taylor gave us?—Mr. Taylor's estimate only had relation to the House of Commons debating chamber; it had nothing whatever to do with the Committee-rooms. There has been no estimate given for them.

279. You would perhaps be able to give us an approximate estimate as to them?—It would only be an approximate estimate.

280. Could you give us an approximate estimate at the next meeting of the Committee?—I will endeavour to do so. I was going to say, in answer to the question put by Sir Henry Roscoe, that the case is not quite similar to a railway where there is a bottle neck, because, in some

cases

Chairman—continued.

cases, if there is sufficient extracting power through the narrow orifices, provided they are not very long, you get an increased draught of air.

Sir *Henry Roscoe.*

281. That is quite true, I admit. It would be interesting if you could give us any information respecting the amount of air passing up from these rooms, testing it by means of an anemometer, I suppose you have measured the amount passing up from these rooms?—Yes.

282. I think it would be very interesting to the Committee if you could give us the amount of air by an anemometer as tested at the present time passing out of any one room or any series of rooms of which you happen to have the measurements. Then if afterwards when the proposed arrangements have been carried out you could show that you are passing out a double quantity of air it would be a very important datum for us to have; perhaps you could before long get us some information upon that point?—Yes, I will do so.

Chairman.

283. Is there anything else you wish to say with regard to the Committee-rooms?—Anything I have to say further, I think, will come best when I am making proposals for remedial measures to be taken.

284. Let me ask you this: can an increased quantity of air be introduced into the Reading-room and the Tea-room without causing a draught round the legs of honourable Members there, as to which you have often heard complaints no doubt?—As regards the Reading-room and the Tea-room there is rather a difficulty owing to the ornamentation or carved work at the back wall, that is the wall furthest from the windows. The air can be and is at present brought in freely at the windows, not through the windows, but by means of ventilating pipes. But at the back wall the carving or ornamentation interferes very much with it; that would have to be sacrificed to a certain extent.

285. You see no way of improving the ventilation of the Reading-room and Tea-room without to a certain extent interfering with the ornamental carving of the back wall?—Not unless there was no objection to carrying pipes independent of the wall, say in the corners of the rooms.

286. Would such pipes equally well enable you to ventilate the rooms?—Yes, in a very great measure.

287. It would not be to any great extent, I suppose, that you would have to sacrifice the ornamental woodwork?—Not to a great extent.

288. But you would to a certain extent?—To a certain extent.

289. Apart from the appearance of the room, which of these two plans would be the most effectual for the purpose of a good system of ventilation?—The pipes in the corner of the room.

290. Could you not cover those pipes with some kind of woodwork, or something of that sort?—Yes, they would be constructed somewhat in harmony with the building; they might

Chairman—continued.

be, for instance, something like that cupboard in the corner, only on a very small scale.

Dr. *Farquharson.*

291. Would they go right up to the ceiling?—No.

292. How far up would you carry them?—Well above the Members' heads some 5 feet 6 inches or 6 feet.

293. You mean by Tobin tubes?—The so-called Tobin tubes; but the tubes in this room have been in existence for many years before the Tobin tube system was heard of.

Chairman.

294. You see your way by either of these systems (of which you prefer the system of tubes in the corner of the rooms) to remedy the draught complained of under the present system of ventilation in the Tea-room and the Reading-room?—Yes. The question as to which plan might be used would be a matter which might be settled on consultation with Mr. Taylor and Mr. Jones.

295. Do you see your way to improving the ventilation of the rooms occupied by the Speaker's counsel, which are immediately over the kitchen?—Those rooms are immediately over the kitchen, and the kitchen flues pass through the back walls of the rooms. Consequently the rooms will always be warm, that is above the normal temperature of the other rooms in the neighbourhood. The great complaint is that the windows of these rooms cannot be opened owing to the smells coming from the kitchen, which is immediately below. I have not heard, and I have not noticed, that now steam enters the room as it formerly did. Since the complaints were made about steam entering the room, the steamers in which vegetables were cooked have been removed to the back wall instead of being under the windows, and there is also a ventilating tube placed in the kitchen, so that the steam is carried away, and does not now escape through the windows. But there is no doubt there are smells in the Court-yard, and those smells ascend through the windows of the Chairman of Committee's-room, as well as the Speaker's Counsels'-room. It has been suggested (I do not know by whom) to place over the kitchen windows and beneath the windows of the Speaker's Counsels'-room a shed of glass similar to that at the Members' entrance in the Star Court, only, of course, not so wide; and it is suggested that it would in great measure cut off the vitiated air, or objectionable smells from the kitchen entering those windows.

Sir *Henry Roscoe.*

296. Would you put any draught arrangement underneath the top, under the glass, so as to draw away the air, or would you trust to the smell being carried away to a distance from the window?—I would trust to its being carried away.

Chairman.

297. Putting up such a glass roof as you speak of would not in any way interfere with the

Chairman—continued.

the ventilation of the building in other respects, would it?—Not in any way.

298. You do not draw any air from that courtyard, do you?—Not from that courtyard.

299. Supposing it was not thought desirable to dispense with both of the closets in the library corridor, do you see your way to improve the ventilation of one of those closets, if the other were discarded. I believe you are in favour of entirely closing one of the closets there?—Yes, I am in favour of entirely closing one.

300. Which one?—I should close the very small one in which there is very little room, I mean the one nearer the north end of the corridor, nearest the official corridor, and the Speaker's room.

301. That very small one, as I understand, you propose to close altogether as a closet?—Yes.

Dr. *Farquharson.*

302. Would you retain the urinal at the end, or would you close both?—I would only close it as a closet. It might, if desirable be turned into a urinal, but as a closet I think it would be better done away with altogether.

Chairman.

303. What would you propose to do with the other closet?—In the other closet I should propose to open a small window at the back of the seat of the closet, which would look into the light and air shaft, and also from the ceiling of the closet cut off the present connection with the ventilating furnace, which is a very long way off, over the Commons Lobby, and carry a vertical pipe similar to and having all the appearance of a rainw-ater pipe up to the level of the ceiling over this room.

Sir *Henry Roscoe.*

304. Is that soil pipe not ventilated there?—The soil pipe is ventilated, but this would be from the closet itself.

305. I should like to ask you whether you would not think it better to do away with the closet and urinal altogether. I noticed myself last night a very disagreeable smell there; do you think that your proposal would be really effective, or would you rather get rid of the closet altogether?—I would rather get rid of it altogether for this reason: that as soon as the closet is used, even if it is ever so well ventilated, for a short time there would be a smell.

306. In fact, it is not the proper place in the building for a closet?—It is not the proper place. A number of ladies pass along the corridor, and it is very objectionable to have people going in and out of the closets there.

307. In almost all houses closets are now so built as not to be in the centre of the building; this closet you may describe as being in the centre of the building?—Yes.

308. That is in itself objectionable, is it not?—Yes.

Chairman.

309. It is very much used, is it not?—It is very much used.

310. Is there any other place which you could suggest as a substitute where you could put the closet?—The only other place in the immediate

Chairman—continued.

neighbourhood, that I know of, is the room at present occupied by the library attendant for keeping stationery, but instead of having the entrance from the Library corridor, I should have the entrance from the top of the smoking-room stairs, alongside the entrance of the reading-room; it is a much larger room, and two closets might be conveniently got there.

311. Surely the passage at the top of the smoking-room or reading-room stairs is much more in use even than the library corridor?—There would be more air there from the fact of the door being constantly open which leads from the Terrace. In the corridor the space is very confined.

312. Have you anything more to say upon this point?—Merely with regard to the closets, that if it is proposed to keep one closet we could carry a shaft right up into the vitiated air shaft overhead, and have a gas burner in that shaft so as to intensify the draught.

313. Apart from the inconvenience of having a a water-closet opening into a corridor, which is in use by Members and their friends, ladies, and others, which is an inconvenience obviously, do you think you would be able to make a good job of the ventilation of the water-closet which you are now speaking of?—I think, so far as ventilation goes, we could, but that would not get over the objectionable position of the closet.

Dr. *Farquharson.*

314. Have you heard that there are complaints from ministers, and ex-ministers sitting on the front opposition bench, of the cold air coming up under their feet?—I have heard complaints from two Members.

315. Is there any reason why the draught should be felt there more than in any other parts of the House?—No. I do not know that there is any reason.

316. The air that comes up there does not, I suppose, escape the warming process to which the rest of the air in the House is subjected. It is warmed air that comes up there, is it not?—It is warmed air when it is necessary to warm it.

Sir *Henry Roscoe.*

317. It is as much warmed there as anywhere else?—Yes.

318. Have you had any complaint at all from Members with regard to smells on the terrace?—Yes. Last night I had a complaint that there was the smell of cigar smoking in the House. I traced the smell all along the vaults underneath, and went out on the terrace where there were a number of gentlemen smoking in the immediate vicinity of the intakes.

319. That indicates a serious objection to taking the air from the terrace, does it not?—Yes, but we very frequently have a smell of tobacco smoke and cigar smoking from the courtyards.

320. Have you had any complaints of other smells?—Occasionally, such as in some cases are attributable to passing barges and also steam tugs, particularly steam tugs.

321. I have had three letters from honourable Members describing some smell which they

Sir *Henry Roscoe*—continued.

noticed of a very strong and unpleasant character about a fortnight ago on the terrace, some 20 or 30 yards east of the main entrance to the terrace, which, in the opinion of those gentlemen, had nothing to do with barges, but seemed to be connected with some escape of sewer gas of a very strong character in the immediate neighbourhood. Two of those letters referring to the same occasion give independent testimony, being from two gentlemen who were not walking together at the time, but who both observed this stench, as they call it, and the other letter is from a gentleman who, on another occasion, describes a similar smell in the same place. I remember from the investigation we made on the last Committee on this question of sewage arrangements that there is a large drain running either under the terrace or under the main part of the building; but that drain, I believe, does not carry any sewage matter; is that so?—The drain to which you refer, I think, has been stopped up. Mr. Jones can give you all particulars as to the way in which the rain water is taken from the terrace, and also as to any that may fall into the areas. But so far as that drain to which you refer (which ran under the building, parallel to the terrace) is concerned, I believe that is disconnected entirely from the main drainage.

Mr. *Richard Power.*

322. Have you any proof that it is disconnected from the main drain?—Only from seeing the ground taken up and a quantity of filling in done. I was not present while the works were going on; Mr. Jones had that under his immediate supervision.

Sir *Henry Roscoe.*

323. We can obtain particulars on that point from Mr. Jones?—Yes.

324. Do you know of your own knowledge anything that can explain these serious complaints of smells on the terrace?—I do not as regards anything that comes from the building.

325. You still adhere to your previously expressed opinion that, barring this question of tobacco smoke, the terrace air is the best you can find in the neighbourhood?—I think so.

326. Many people have expressed the opinion that air taken from the Thames or in the neighbourhood of the river is most objectionable, and that we ought to go for the purpose of pure air to a high elevation. Your statement on the last occasion was rather against that view?—My opinion is that owing to the chimnies, and the shafts for the ventilation of the closets discharging at a high elevation the air would be less pure.

327. Still, if we could take our supply of air at the top of the Victoria Tower, for example, or such a height as that, we should probably be doing a good thing, should we not?—Yes, if it was proved on examination that that air was better than the air we will say at the terrace level or at a low level.

328. Supposing that were proved to be the case, do you conceive as an engineer it would be possible or impossible to bring the air from that height instead of bringing it from the terrace or elsewhere at the level of the ground?—It would be possible but very expensive, because for the House of Commons we would have to pass by the House of Lords and take the air a very long distance, and interfere perhaps with other arrangements.

Sir *Henry Roscoe*—continued.

329. You would have to make fresh arrangements, no doubt. Is there such a thing as a shaft in the Victoria Tower down which such air could be brought?—Yes; in that case the present furnace shafts would be done away with and the fresh air brought down those shafts. There are two at the corners in the angle towers of the Victoria Tower used for furnace ventilation.

330. Those two, in case it were thought desirable to do so, could be used as down-cast fresh air shafts?—They could be so used.

331. What would you say about the communication to those shafts in the basement?—It would be rather an expensive arrangement because air ducts would have to be constructed for two-thirds of the entire length of the building.

332. The air shafts which pass to the up-cast shaft could be used as the means of bringing the fresh air could they not?—They could, but in a great many cases there are numerous vitiated air flues going into these shafts that would have to be stopped up and altered.

333. In fact, it would require a re-construction of the whole system of ventilation in the place?—Yes.

334. But it could be done, I understand, supposing it were considered worth while?—It could be done, but at a considerable cost.

Dr. *Farquharson.*

335. Do you think it is always an easy thing to distinguish the smell of sewer gas from other bad smells?—I should say it is very difficult.

336. You would consider it quite possible that these gentlemen may have been mistaken in thinking this was a sewer gas smell?—I have known many cases where it was confidently asserted that a certain smell was sewer gas, when I was perfectly certain it was sulphur from the smoke shafts.

337. Would you go so far as to say that it requires a somewhat experienced nose to detect sewer gas from other bad smells?—I should say so certainly myself.

Chairman.

338. Have you any doubt as to the practical disconnection of this drain on the terrace from the main system?—I have no doubt about it.

339. So far as your knowledge goes, you believe the terrace is entirely isolated from all possibility of sewer gas coming from the sewers of the House?—I believe so.

340. You are absolutely confident about that?—Yes.

Mr. *Richard Power.*

341. Do you think there would be improvement in the atmosphere if the air was always passed through cotton wool; that is to say, if that process were made perpetual?—I should suppose so, as regards arresting mechanical impurities;

Mr. *Richard Power*—continued.

purities; but I cannot say how far it would arrest any chemical impurities.

342. What do you think it would cost, supposing we had that process in use all the Session round?—If you will allow that question to stand over till the next occasion when the Committee meets, I will look into that and let you know.

Sir *Guyer Hunter.*

343. What do you mean by chemical impurities?—Such as sulphuric smells, sewer gas, or anything of that sort. So far as blacks and dust are concerned, of course the cotton wool will answer the purpose as a filter.

344. That is to say, it would arrest dirt and filth; but not gaseous vapour?—I am not so certain, supposing a burner was taken off, and the gas allowed to escape, whether the cotton wool would arrest any of the gas.

Mr. *Richard Power.*

345. Is there not a laundry in the House?—I think not now.

346. Has that been done away with?—That has been done away with. The room that was used as a laundry is now a Ministers'-room.

Chairman.

347. I sometimes even now observe smells coming apparently from the refuse of the stores connected with the kitchen; have you noticed smells of that kind in the corridor in the basement storey near the various entrances to the kitchen?—Frequently and consequently, now that a second door, or new door is constructed, I recommended that the door there should be built up, or, at all events, boarded up, as being of very little use.

Chairman—continued.

348. You mean the door which used to be the only access to the Ministers'-room in the basement?—Yes.

349. Apart from the inconvenience to the Ministers'-room, is it not a bad thing to have these smells having regard to the general ventilation?—Decidedly, and apart from the rooms in the basement, the smells coming through that door or under that door rise up to the corridor at the back of the Chair, by means of the new staircase.

350. Have you observed a smell there as if it proceeded from decaying vegetable matter and other things connected with the cooking establishment of the House?—Yes, there is a bakery alongside there, and a sink alongside almost close to that door, and I have noticed objectionable matter about there in the sink.

351. What is the sink connected with?—It is connected with the drainage of the House, but there is an ample supply of water there, and I should suppose it is well trapped; that however Mr. Jones can speak about. But in the refuse thrown about in the neighbourhood of the sink I have noticed objectionable matter.

Sir *Richard Power.*

352. How often is that refuse removed?—I cannot say. There was an arrangement made that it was to be removed daily, but whether it is done or not I am not in a position to say.

353. No doubt Mr. Jones will be able to tell us all about it?—Yes.

Chairman.

354. Is there anything else you wish to mention?—No.

Mr. JAMES THOMAS JONES, called in; and Examined.

Chairman.

355. You are Clerk of the Works to the Palace of Westminster?—Yes.

356. How long have you been so?—Seventeen years.

357. You are thoroughly acquainted with all that has been done as the result of the recommendations of the Committee which sat and reported in 1886?—Yes.

358. Will you tell the Committee please how the case stands as regards the drains or sewers, or whatever they were, which lay underneath the terrace or underneath the basement close to the terrace on that side of the building?—The whole of the drains in the basement near the Terrace were taken up and destroyed.

359. Have they been filled in?—They have been filled in with concrete: that is in the basement; the terrace drain remains structurally the same but it has been disconnected with the soil drains running through the Speaker's house. On this plan (*producing a plan, and explaining before the Committee*) the blue line shows the drain that is under the terrace, and the small drains that carry the water from the gutters on either side.

360. All the drains you have pointed to are at present used only as gutter drains for surface

Chairman—continued.

water?—That is so; they are disconnected at either end. Every drain that is a soil drain, is coloured red on this plan. These pipes bring the rain-water from the top of the building, and at the same time ventilate the drain.

361. At the southern end of the terrace has that drain been absolutely disconnected from the soil drains?—Yes, that is so.

362. So that it is perfectly impossible that any sewer gas should come from the soil drains into that drain?—Quite impossible.

363. Is it equally impossible at the other end?—It is practically impossible. There is a manhole with a syphon complete at the northern end of the drain, that entirely disconnects this drain from the soil drain marked red on plan.

364. You say that that soil drain is absolutely disconnected from the water drain which runs along the terrace?—Yes, quite so.

365. Is it in your opinion impossible that any sewer gas should come to the terrace by means of any drains or sewers in the neighbourhood of the terrace?—I think it is. There are two small wash basins that go into that drain from the corridor.

366. It is a water-drain; there are no soil drains there, as I understand?—There is absolutely

Chairman—continued.

lutely nothing in the nature of a soil-drain near there. At each end in the turrets there is a very large rain-water pipe (*pointing to the plan*) which is of great service in ventilating this drain. A four-inch ventilating pipe was fixed on the iron drain to relieve the pressure.

367. You mean the pressure of gas upon the soil-drain ; but I presume there is no pressure of gas upon the water-drain ?—There is no pressure at all on the water-drain ; it is simply an open ordinary drain; it is a large one, an 18-inch drain, and in very good condition.

368. It is entirely used for the purpose of surface-water, is it not ?—Yes.

369. Is it your opinion that if there were any smell of sewer-gas on the terrace at the point that has been spoken of, it could not have come from any of the drains or water-courses of the building ?—I am of that opinion, decidedly. A manhole in the centre of the drain was opened a day or two ago, and everything was as sweet as possible.

370. Is it flushed from time to time ?—Yes, the terrace is flushed with water.

371. You found it perfectly sweet, and you say it is flushed frequently ?—Frequently.

372. Every day ?—Mr. Prim flushes the terrace and cools the terrace almost every day, I think. I looked at these traps here (*pointing to the plan*). They are not exactly what they might be, but we shall alter them, and put a trap that will hold more water than the present one or dispense with them altogether.

Sir *Guyer Hunter.*

373. This drain you say contains nothing but storm water, plus the water from a couple of basins?—That is so.

374. It is absolutely disconnected from all sewers ?—Yes.

Dr. *Farquharson.*

375. Have you any idea what the reason of this smell could have been ?—I was going to suggest that, as honourable Members know, there is a considerable portion of the foreshore exposed there, and under the influence of the sun the smell is very objectionable at times.

Chairman.

376. You mean the foreshore of the river ?—Yes; that is exposed at low tide. We found when we were digging out the foundations of the ejector house the water was very offensive.

Mr. *Richard Power.*

377. That would not apply to high tide, would it ?—No, only to low tide.

Chairman.

378. And it is not exposed at all low tides, is it?—Pretty nearly at all low tides. There is considerable amount certainly a little higher up, and even immediately in front of the terrace walls you will find there is mud.

379. You think that is the most probable explanation of these smells ?—Yes.

380. I gather from what you have shown us on the plan that the nearest soil drain or sewer to the terrace is that which is very near the

Chairman—continued.

centre of the building, and runs under the Commons Court, the Commons Inner Court, the Peers' Inner Court, the Peers' Court, and the Royal Court ?—Yes.

381. That drain is of iron, is it not ?—Yes.

382. And is it as perfect for the purposes of preventing sewer gas escaping as anything can be ?—It is.

383. At what distance would you estimate that sewer is from the terrace ?—Ninety feet.

384. The nearest soil drain is almost in the centre of the building, and at a distance of 90 feet from the terrace, or thereabouts ?—That is so.

Sir *Guyer Hunter.*

385. You say this is a cast-iron pipe ?—Yes.

386. Do you prefer cast iron to glazed pipes ?—Yes, for internal work.

387. Why ? — Because they are in longer lengths, and you can make a better joint with them.

388. The longer the lengths of course the fewer the joints, and the less susceptibility to percolation or escape of foul air ?—Yes.

Chairman.

389. Are the areas beneath the terrace drained in a similar manner to what you have described in the case of the terrace itself ?—All the small areas there are drained into this surface drain. I should be very glad to get rid of these drains, as it does not seem a desirable thing that where the air is taken in there should be a drain or a trap, or anything of the sort.

390. Not even a water drain ?—Not even a water drain. I think it would be preferable to get rid of it, because it gives a bad impression.

391. It puts an idea of risk into some persons' heads, but do you suppose, in fact, there is any substantial injury to the ventilation from it ?—None whatever, but still it would be better if we could dispense with them.

392. How can you dispense with them ?—In the other areas about the building I put in pots completely disconnected with the sewers. A man goes and lifts them up and empties them from time to time. Of course that system means labour.

393. How could you apply that to the terrace ? — We should have to do the same thing if we dispensed with these drains.

394. I presume the terrace at present is drained and washed by means of the slope of the terrace ?—Yes ; I am not speaking of the terrace ; I am speaking now of the very small areas which are comparatively small surfaces. The water that goes into them of course is collected in this trap at the bottom and is carried into this surface drain. If we stop this drain altogether I must put an iron pot without any outlet, holding about two quarts, which would be about the largest amount of rain that would fall except in an exceptionally heavy storm.

395. I understand that is rather to get rid of an apprehension than a real source of mischief ? —It is so in this case because it goes into a surface drain ; in the courtyards it would go into a soil drain.

396. But that makes a great difference does it not

Chairman—continued.

not practically as to the possibility of mischief?—A great deal of difference.

397. What have you to say to us about the removal of the kitchen refuse?—The kitchen refuse is removed from the whole of the buildings every morning between six and seven o'clock, there being 54 portable dustbins supplied for that purpose.

Sir *Guyer Hunter.*

398. How much do the dustbins hold?—About two bushels; as much as one man can carry on his shoulder easily.

399. What is the total average amount of kitchen refuse you get?—There are between 50 and 60 of those in use every day. But what I now say does not apply to the kitchen waste and wash of the refreshment department; that I have nothing to do with; it is removed by the refreshment people themselves.

Mr. *Richard Power.*

400. Who has control over that?—The manager of the refreshment department, or rather no doubt it is under the Serjeant-at-Arms; but I do not deal with it.

Chairman.

401. What do you mean by the kitchen waste and wash?—I mean that the waste meat and the fat and things of that kind are put into a vessel and a man contracts to take it away; that I have nothing to do with. What we have to remove are such things as get into the dustbin of an ordinary dwelling house.

Chairman—continued.

402. How do you account for the smells which undoubtedly have lately been perceived by myself and others while just outside where the bakery is?—There is the bakery and a sink there, but I cannot account for the smells.

403. I have noticed, and I know that others have complained very much of the smells there, which apparently proceed not from sewer gas or anything of that kind, but from refuse, and which are of a very unpleasant kind; can you account for those smells?—It is impossible to say what it might be there, but Mr. Prim made a suggestion which I think might be carried out, and that is to abolish the doorway there altogether, and render all the Ministers' rooms quite independent of the kitchen and kitchen department.

404. On one occasion that smell was extremely offensive; can you suggest what it can proceed from?—The kitchen refuse in the form of ashes and so on is removed every morning, so I do not think it proceeded from that.

405. It is important to find out where that smell that we all perceive so strongly comes from, because even if you isolate the corridor leading into the Ministers' room in the basement from that bakery, still, if the smell is going about we may get it into the ventilation of the House, and it is a very disagreeable, sour, and unhealthy smell which proceeds from that place; can you suggest where it comes from?—There is a sink there, and of course one cannot tell what might have been brought there to be thrown down.

406. However you have no knowledge of that?—I have no knowledge of that.

Monday, 6th July 1891.

MEMBERS PRESENT :

Dr. Farquharson.
Sir Guyer Hunter.
Mr. Plunket.
Mr. Richard Power.
Sir Henry Roscoe.

THE RIGHT HONOURABLE DAVID PLUNKET, IN THE CHAIR.

Mr. JOHN TAYLOR, re-called; and further Examined.

Chairman.

407. I BELIEVE you can give us an estimate, which I understand must be only a rough estimate, of what you think the expense of the improvement suggested for the ventilation of the Committee-rooms would come to?—As an approximate estimate the alterations proposed in the air channels and inlets would come to about 1,000 *l.*; and if the system which I proposed for admitting the air through the floors of the Committee-rooms should be adopted, that would add 1,500 *l.* to that amount; that is to say, the total cost would be 2,500 *l.*, or thereabouts, assuming the system of a perforated floor for the public portion of the Committee-rooms were adopted.

408. Would this approximate estimate in your opinion cover the expense of putting all the Committee-rooms into a proper state of ventilation?—Yes, the whole 20 Committee-rooms.

Sir *Henry Roscoe.*

409. Do you think that that work could be done during the recess?—I think that if not the whole of it the principal part could be.

410. We asked at a previous sitting if you could tell us what was the cost altogether of carrying out the Shone system of drainage in the Houses of Parliament; can you give us what the cost of working is?—The cost for the working of it is about 350 *l.* a year.

Sir *Guyer Hunter.*

411. You are speaking, as I understand, only with regard to the ejectors and not of the drainage?—I mean the cost of working the system of ejectors and compressing the air, the motive power necessary for the purpose, the fuel consumed, and the labour, is about 350 *l.* a year.

Sir *Henry Roscoe.*

412. I do not know whether you can tell us anything about the general drainage in the neighbourhood of Westminster?—I have frequently had that matter brought under my notice from being in charge of buildings contiguous to the main drainage of this neighbourhood.

413. Have you any evidence, or have you formed any opinion, as to whether the alleged inefficacy of the drainage in Westminster has had any effect upon our building here?—It would have had no effect upon this building as regards the drainage of it; that is to say, I do not think it is possible for any sewer gas from the main sewer to get into this system of sewers and drains. But the drain ventilators in this neighbourhood, from the main drainage system, are in a most foul condition.

414. You think that might influence the air in the neighbourhood and therefore affect the question of the purity of the air in the palace?—Certainly I think so.

415. That is a most serious state of things, is it not?—Yes, I think it is a state of things that ought to be remedied.

416. Have you taken any steps, or have any recommendations been made to the local authorities?—Representations were made to the Metropolitan Board of Works after the last Committee on this subject sat, and a ventilator was formed in granite at the end of Westminster Bridge. That was the only thing, I think, which was then done.

417. I remember that; but I am rather speaking with regard to the local drains of Westminster, the vestry drains, apart from the system of main sewage under the county council?—I have not taken any steps with regard to them.

418. Could you give us any recommendations with regard to the proper method to approach these people; would the Chairman be the right person to see, or the engineer, or what official would it be?—I think a letter should be addressed to the vestry, or board of works, as the case may be, on the subject; it might be done either by the Chairman of this Committee, as Chairman, or by the First Commissioner of Works as having buildings immediately adjoining the system of these local authorities.

Chairman.

419. Do these drains, from which you say sewer gas may escape through the ventilation holes in the street, belong to the main system under

Chairman—continued.

under the London county council, or to the local drains of the vestry?—Those which I have observed to be the worst are the London county council main drainage sewers.

420. Are those the drains immediately outside the gates of New Palace Yard?—Yes.

421. You say something was done by putting a ventilator up at Westminster Bridge with the view of remedying that evil?—Yes, shortly after the last Committee sat; but that ventilator has been blocked up ever since by having york stone placed over it.

422. Do you know why that was done?—Because the foul air was so offensive and noxious to the district that they could not allow it to remain open.

423. Is there not some other way either by carrying up a ventilator to a great height, or some other means by which the desired result could be obtained without producing that injurious smell?—My impression is, that it would not be at all difficult to deal with it. It might be expensive, but there is no difficulty in drawing off the foul gas from the main sewer by erecting a building of a considerable height, and having a strong pull or furnace in it which would draw off all the vitiated air. If such a structure as that were erected, then the gratings in the streets instead of being outlets for foul air would become inlets for the air to feed the pull.

Sir *Henry Roscoe.*

424. If I remember rightly the difficulty was to find any locality where such an erection could be made. We went over the ground with Mr. Taylor, and the late Sir Joseph Bazalgette, and this site at the foot of Westminster Bridge was the only suggestion which Sir Joseph Bazalgette could offer, or would at all countenance; and that I know was closed, but I am not sure whether it would be observed if it were opened again without attention being drawn to it?—Yes, I am afraid it would.

Sir *Henry Roscoe*—continued.

Chairman.

425. I believe there were substantial remonstrances in regard to it, especially from people who inhabit the residences in this building?—Yes; the Sergeant at Arms, whose windows principally look in that direction, objected strongly to the ventilator being open.

426. Did he complain of foul vapours coming into his house?—I believe so.

Sir *Guyer Hunter.*

427. Can you tell us to what extent the recommendations of the last Committee were carried out as regards this question of the improved ventilation of the sewers outside; was anything done except what you have now described, of setting up this ventilation at Westminster Bridge?—I do not know of anything else, except that I believe there was some little alteration in the ventilator opposite the centre of Parliament-square Gardens. I think the ventilator there which formerly used to be open was then closed; some change was certainly made in it.

428. There were other recommendations made by that Committee, one of which I will refer to as being the subject of a question in the House, that is to say the recommendation as to a dust-bin at the foot of the staircase leading to the ladies' gallery from which foul emanations were given off; has that been attended to?—That was attended to.

429. Is it removed altogether?—It is removed so far as being a receptacle for any foul matter; it is a receptacle for dry dust, I believe. Mr. Jones will be able to tell you exactly what has been done with regard to that. I am speaking from recollection as to what occurred at the time; I believe nothing but dust and paper goes there now.

Mr. JAMES THOMAS JONES, re-called; and further Examined.

Sir *Guyer Hunter.*

430. You heard, I presume, the question which I just now put to Mr. Taylor?—Yes.

431. Can you give a definite answer as to what has been done with that dust-bin?—It was removed. After the Report of the last Committee the whole of the dust-holes were done away with, and portable bins substituted, which are removed every morning.

432. Have the foul emanations which were said to come from that place now ceased to exist?—I believe there was a special cause for that smell. Some decayed meat got in there, no one knows how; it must have been put surreptitiously into the dust-bin.

433. Are they removed every day?—They are removed every day. Mr. Taylor was asked whether anything else had been done since the Committee reported, except stopping up the ventilator on the Embankment. I may say that all the ventilating holes in the road in the vicinity of Palace-yard, about which there was very much complaint, are now stopped up. The Westminster District Board stopped them up.

Sir *Guyer Hunter*—continued.

434. Are those over the drains?—Yes.

Chairman.

435. Are there still ventilating holes open there?—Not in the immediate vicinity of the House. The nearest one is very near the Canning Statue. There are one or two between the north front of the Abbey and the Canning Statue. There used to be some close to the gates of New Palace-yard, but they have been stopped up.

436. Do you consider that the danger of sewer gas coming from those sewers just outside the Houses of Parliament, so as to affect the ventilation of the Houses of Parliament, has been effectually dealt with?—No, I do not think so.

437. Will you explain why you say that?—Because the district sewers of Westminster, generally, are in a very bad condition.

Chairman—continued.

438. How can the fumes or exhalations from these sewers get into the Palace ventilation, if the holes in the immediate neighbourhood have been stopped?—Although the holes are stopped in the immediate neighbourhood there are others not very far off, and the fumes could easily come in this direction if the wind set that way, especially with a damp atmosphere.

439. You think the fumes might still be drawn into the ventilation of the House?—Yes.

Sir *Guyer Hunter.*

440. There is no connection, is there, between the sewerage system under the Palace, and the sewerage system outside?—No; it is entirely cut off.

441. But you think these exhalations might be carried by a light air in the direction of the Palace, and in that way become a nuisance?—Yes. There is one sewer in particular to which I have called the attention of the Westminster District Board; but it does not seem possible to get it removed. It runs at the back of the gardens in Abingdon-street; that is the only one that comes under my personal observation.

Chairman.

442. Can you show it to us on the map before you?—This map does not show that sewer; but I was about to refer to the map for the purpose of showing a sewer in New Palace Yard (*laying the map before the Committee*), which has been entirely destroyed since the Committee last reported. There was here a five feet by three feet sewer only connected by a small pipe with the district sewer; that has been abolished altogether.

443. The ventilation holes that were stopped up were along here, were they not (*pointing to the plan*)?—They were in the road just outside the gates in New Palace Yard.

444. Where are those that remain now?—There are one or two just outside the gardens, very near the Canning Statue.

445. In Abingdon-street, do you say there is one?—The sewer that I speak of there is in the gardens at the back of Abingdon-street. It has a dead end; that is to say, it starts from there, and runs towards College-mews. I was making some alterations in the gardens at the back of Abingdon-street, and broke into the sewer, and found it was a brick sewer about 3 feet 6 high and 3 feet wide, with a flat bottom, and with about 18 inches of soil in it.

Sir *Henry Roscoe.*

446. Does that communicate with, or come into the neighbourhood of the Palace?—No, it does not.

447. You only mention it, I presume, to show the general condition of the drains in the neighbourhood?—To show the general condition of one sewer, as known to me from my own observation; I have heard similar complaints with regard to other sewers that have not come under my personal observation.

Chairman.

448. I understand that that sewer is entirely cut off from the system of sewerage of the Houses of Parliament?—Absolutely.

Chairman—continued.

449. But do you think that, in order to render the air that we are breathing in the houses here satisfactorily pure, the drains in the neighbourhood belonging to the Westminster District Board ought to be put into order as they are in a very bad state?—Yes, I think so, from repeated complaints I have had from residents in the Palace.

450. Will you tell us from whom you have had complaints?—The late Inspector Scott, resident superintendent in the House of Lords, used to complain very bitterly. When he went out at night he used to say he was almost poisoned.

451. Have you had any other complaints?—I have had others, but I cannot identify them at the moment.

Chairman.

452. Before we leave this subject, do I understand from you that those evils you complain of as regards the sewerage in the neighbourhood of the Palace could not be in any way affected or modified by any change that could be made in the existing system of sewerage for the Houses of Parliament?—Not in any way; we are absolutely independent of the outside system of sewers now.

453. It is only so far as the exhalations from those sewers could be carried by the wind for some distance to the place where we take our air from for the purpose of ventilation, that any harm could arise?—That is all. I see that Major Tulloch did report upon the state of some of the local sewers. I have here his report on the sanitary arrangements of the Houses of Parliament.

454. What is the date of the report?—1885. He speaks more particularly of the sewers in the neighbourhood of Bridge-street and about Parliament-square.

455. As regards the two water-closets in the corridor just outside the Library, do you think it is necessary to close either or both of those waterclosets?—I do not think it is desirable to reduce the number of water-closets in the vicinity of the House of Commons. I think that very undesirable.

456. There is one of those in the corridor we are speaking of, just outside the Library, which is a very small and inconvenient one, and it seems, from the evidence we have heard, to be almost impossible to ventilate it properly; do not you think that that water-closet could be done away with?—I know it has been a great nuisance, but it has been less objectionable of late years. Since Mr. Prim did something to improve the ventilation I have not heard so many complaints.

457. Surely you must have noticed yourself, as you passed it by or entered it from time to time, that it is generally in a very unpleasant state as regards ventilation?—I have not recently. I have in years gone by. If the water-closet is done away with there ought to be another substituted for it somewhere else; that is the only point I wish to emphasise.

458. Can you suggest any less objectionable position in which a substitute for this closet could be found?—No, I cannot off-hand. It has occurred to me that lavatory accommodation might be provided by cutting off a piece of the

Tea-room

Chairman—continued.

Tea-room by the window; at the north end, there would be no entrance from the Tea-room, but simply an entrance from the Library corridor. But that, of course, entirely depends upon whether that piece of the Tea-room could be spared.

459. You say "by the window of the Tea-room," but that is on the opposite side of the room to the corridor, is it not?—I would take a piece right across, and include one window.

Sir *Henry Roscoe.*

460. There are wash basins close by, are there not, already?—Yes.

Chairman.

461. You would propose to have additional lavatory accommodation there?—Yes.

462. Ending in a closet at the end next the window?—Yes; one or two, with a urinal and lavatory basins; and do away with the lavatory basins that exist now in the corridor.

463. The Tea-room is pretty crowded as it is, is it not?—It is sometimes. I do not think that is a very practicable proposal, but it is the only one that occurs to me. If it is your wish that the closets are to be done away with, it must be so; but I think it is very desirable to get another one elsewhere in the vicinity, because I know they are both very much used.

464. Passing from the question of the corridor outside the Library, have you anything to suggest as to the closets in other parts of the House of Commons?—No, I have not. I know the suggestion which has been made about the space by the entrance to the Reading-room; but I think that is equally objectionable.

465. But coming to the closets upstairs, in the neighbourhood of the Committee-rooms, have you not heard complaints about them?—Yes. The position of those closets is undeniably bad.

466. In what way?—Simply because the officials who use the rooms have to pass in front of them. They form a sort of lobby to their rooms. Then, as regards the residents on the floor overhead, and though I believe the water-closets and urinals themselves are in perfect order, when the closets are used very much, there is a great deal of smell which finds its way out into the corridor, and no doubt finds its way upstairs to those rooms.

Sir *Guyer Hunter.*

467. As regards the urinal opposite the Members' Smoking-room, are you aware that there is generally an overflow from that, and sometimes a depth of water of a quarter of an inch?—I was not aware of that; I will look to that.

468. If the window happens to get closed it gets rather offensive?—I will look to it.

Chairman.

469. Besides those water-closets, in connection with the Committee-rooms, have you heard any complaints as regards the water-closets in the upper gallery or corridor of the Debating Chamber itself, at either end of the upper lobbies?—I have not heard any complaint, except that they were short of water on one occasion, or something of that kind; I mean something which merely wanted the attention of the man in charge, and which was put right at once; otherwise I have heard of no complaints.

470. Have you not heard complaints of imperfect ventilation?—No.

471. Have you any suggestions to make with regard to those closets; do you think yourself any change is necessary there?—No; I do not think there is anything very objectionable about them.

472. Then, speaking generally, are you satisfied that the drainage of the Houses of Parliament, as distinguished from any bad odours that may come from outside, is in a satisfactory condition?—Perfectly satisfactory; of course it took some time to find out some defects. We had occasional overflows, which I found were partially due to our bringing too much into one pipe, By a little re-distribution, after a time, I find the whole system is working very well.

Sir *Henry Roscoe.*

473. Is there anything else that requires to be done since the meeting of the last Committee on the subject; have you completed all the works that you intended to complete?—We have; we consider it practically complete.

474. There were a good many matters that were left to be done when the Committee reported; have they been done since?—They have all been done; it took us two years to complete the work; it was a very big job altogether. Every drain in the place has been taken up and re-laid; and every drain inside the building, with a very slight exception, is iron. As regards the drainage generally, and the taking away of the storm water, if it does gain a little on us sometimes, it is because we are not quite prepared for it; it comes on so suddenly.

475. It flows back into the main drainage, as I understand; there is a large brick drain, which is not otherwise used, which acts as a reservoir?—Yes.

476. You have not had any floods, have you?—No; we have had it back into the drain, but only on a few occasions.

477. That was made, I believe, on purpose to meet that contingency?—Yes; and I may refer to that in answer to a question put by Sir Guyer Hunter, as to what would occur in case the ejectors broke down. I have a drawing here which will illustrate my meaning (*producing a plan*). Provision was made for the sewage or storm water passing back into our old sewer as a reservoir.

Sir *Guyer Hunter.*

478. With regard to the iron pipes which carry off the sewage, have you any fear of their being broken by subsidence of the building in any way; is there any danger likely to a rise from that?—There would be, if precautions were not taken

Sir *Guyer Hunter*—continued.

to leave a space to prevent that occurring. We found, in regard to many pipes in this building, that at certain places the subsidence of the building had broken the earthenware pipes; but there is now, comparatively speaking, no subsidence, and, therefore, that danger has ceased to exist.

479. You think it right to provide for that contingency?—Yes, we always do, we leave a space.

The Honourable E. Chandos Leigh, Q.C., called in; and Examined.

Chairman.

480. You are the Speaker's Counsel?—Yes.

481. Your rooms are situated, I believe, close to the kitchen?—Over the kitchen.

482. Do you find that attended with any inconvenience in connection with smells coming from the cooking?—During the cold weather I do not feel it so much, but as soon as there is anything like hot or muggy weather, the room becomes absolutely intolerable; I have to keep every window shut after half-past one in order to prevent the smells from the kitchen coming in.

483. Are the smells you refer to the ordinary smells arising from cooking?—Yes, the ordinary smells from cooking and sometimes stale cabbages and all sorts of smells.

484. Do you suffer very much from the heat?—Terribly; I am regularly boxed in.

485. I am afraid that the difficulty is, as I know from my own experience, that we really have no rooms to dispose of. Every room about the neighbourhood of the House of Commons is used now, and of course it would be, as a previous witness informed us, an extremely expensive process (it has been estimated at from 15,000 *l.* to 20,000 *l.*) to transfer the kitchens from where they are now to the top of the house. But it has been suggested to me that perhaps you would

Chairman—continued.

prefer to have a room on the upper story, one of the upper Committee-rooms, rather than the room you now occupy?—The objection to that would be that I should be so far from Mr. Courtney, the Chairman of Ways and Means, and I have to be perpetually in communication with him. I should not so much mind a room on this floor; and if I could have the room in which the Committee is now sitting (which is not a very convenient one for Committees) that would suit me admirably.

486. Would it be a convenience to you to be provided with a room on the upper Committee-room corridor in addition to the room that you now occupy downstairs?—Certainly it would be a convenience.

487. Would that be a considerable mitigation of your present sufferings?—Clearly; the only objection would be being so very far away from the Chairman of Ways and Means.

488. Still there are times when you would be able to avail yourself of a room upstairs, when you are not obliged to be in constant communication with the Chairman of Ways and Means?—Quite so.

489. Is there anything else which you wish to add?—I think not.

Mr. Isaac Shone, called in; and Examined.

Sir *Henry Roscoe.*

490. I believe you carried out as engineer the system of ejectors of which we have heard so much, which were ordered to be placed in the position they now occupy?—Yes.

491. Have you inspected the work lately?—Not very lately, but I frequently go into the main ejector station, and I find the system working excellently.

492. You find it working satisfactorily?—Yes.

493. Have you been able to observe, or could you give us your opinion as to whether in the whole system of drainage, as it now exists, which was put in under your superintendence, there is any likelihood or any possibility of the escape of sewer gas into the House, or cellars, or courtyards connected with the Palace?—You will remember that I carried out the main drainage works, and so far as regards them, I can vouch that during those periods when rain is not falling sufficiently rapidly to fill the main sewer fresh air is always drawn down the same to and up the Clock Tower, at the base of which a powerful ventilating furnace exists.

494. The air from the main drain is aspirated through the whole length of the system from the Victoria Tower to the Clock Tower, is it not?—Yes.

Sir *Henry Roscoe*—continued.

495. And then it passes up into the shaft there?—Yes.

496. So that, so far as that main drain is concerned, I understand you are perfectly certain that the ventilation is complete, and that no escape of sewer gas comes into the building; would you say so?—I could not exactly go so far as that. Generally speaking, your main sewer is not nearly half full, because, on the average, when the whole volume of sewage has reached the outlet (that is the ejectors) the total volume is not more than perhaps 50 or 60 gallons per minute. During that time the ventilation of the main sewer, as I said before, is perfect, because the power available in the shaft is so great that the atmospheric air drawn in at the apertures on the route of the main sewer cannot resist being drawn into the sewer and, consequently, there is perfect ventilation. But then you know, connected with the main sewer, there are many branches which are not and cannot be ventilated for the reason that they are trapped where they communicate with the various inspection chambers. This system of trapping drains from the main sewers is always adopted in this country. I remember writing to the Office of Works when I was consulted in the first instance,

Sir *Henry Roscoe*—continued.

stance, drawing attention to the fact that the drains between the main sewer and the traps communicating with the inspection chambers were not ventilated. This I considered to be a defect, if I may use the word. Supposing my hand to be the main drain and my finger a branch at this place (*describing it*), you have got a trap at the sewer end of the chamber, which is hermetically sealed. At all these chambers the most improved modern method for ventilating them is adopted; I have seen several of them, and I find they are as perfect as they can be made. But as you asked me the question I wanted to point out this one defect in the system. The atmosphere existing in the branch pipes from the traps to the main sewer is practically always quiescent, and practically it is never renewed.

Sir *Guyer Hunter.*

497. Do you mean the water in the trap?—No, the air within the drain, we will call it the house drain, coupled up to the main sewer and trapped at the House. That air as I say is constantly stagnant, and I attribute the foulness of the sewage that finds its way into any outfall very much to that state of things; because this air must be charged with gas and it parts with its gas to the sewage and pollutes it, and when you have got the full it is generally very foul. I was going on to say that, under these conditions, whilst the main drain is carrying sewage, comparatively freely, there is perfect ventilation in the main sewer; but directly a storm comes and the main sewer is full, the ventilation of it is not rendered necessary, but the air in the coupling drain is compressed and the traps connected with the inspection chambers are untrapped, notwithstanding that the arrangement connected with the chamber is such that atmospheric air is drawn through an aperture into this chamber and they have got ventilating pipes on the chamber. But as a matter of fact you can never prevent the untrapping of these traps. Whenever the main drain gets full the air is compressed to a tension that would untrap a foot or 18 inches of water.

Sir *Henry Roscoe.*

498. What is the height of water in the trap?—I do not suppose it is above three or four inches, which is equivalent to a very small pressure per square inch.

499. Does not the ventilating pipe to which you have alluded admit of the air expanding and finding its way out on to the higher part?—Yes; but you can see clearly that supposing you have had that air in a state of quiescence for a month only, and not permanently, its condition must be extremely foul.

Chairman.

500. Do you mean foul from impregnation of sewage or anything of that kind?—Yes. You cannot possibly retain air in an almost clean pipe, for instance, without its becoming stale.

501. Then it is not from the impregnation of sewage that it becomes foul?—I do not know how to put it. The sewage is foul passing through the pipe.

Chairman—continued.

502. Surely if the sewage passes through the pipe it must disturb the air in the pipe?—It simply displaces a volume equal to that which passes in the shape of liquid; but that is a mere nothing. The bulk of the air is in a state of quiescence, and it cannot be otherwise than permanently foul.

Sir *Henry Roscoe.*

503. You mean to say that whilst the main drain is ventilated by the current of air passing through it, it is not possible to ventilate the side drains equally, nor is there any method at present known, I presume, by which all the side drains can equally well be ventilated?—There is no system that is generally known, but I have designed one.

504. Unfortunately we did not hear of that at the time these works were carried out?—It is a recently designed system; but I may say I pointed it out to the Office of Works originally. I take it this is a very important matter. The method to-day is to open an aperture on to the trap of a sufficient area to permit of a volume of air being drawn through this little pipe in every branch. We know exactly what quantity we want, and we can adjust these apertures so that a constant volume of fresh air would flow over this trap. It would not do to have an opening say of a foot square at the first junction with your main drain; you would then draw all your air that the power is capable of drawing through this junction. But we can adjust the openings according to the rule which you know in connection with water supply. For instance, the areas of the pipes to discharge under the same pressure, vary as the square root of the fifth power of their diameters. Knowing that, we know exactly what is the superficial area to give to each aperture so as to get the required volume through. With this exception I consider this drainage as perfect as it can be. Mr. Jones has shown me some of the inspection chambers, and I consider them most perfect, as perfect as it is possible, I think, for a thing to be; but the system which results in causing the air in the main drain which carries the sewage from the House to the public sewer to be in a permanent state of quiescence, must be defective. If I draw the air *here* (*describing*) along the main sewer, the air is fresh and inocuous and harmless, but it does not exhaust this air inside *here* (*describing*), *i.e.* the air of the branch drain.

Sir *Guyer Hunter.*

505. You state that when the main drain was full the pressure was so great as to drive the air into the trap, and as you said through the trap, so that the trap becomes useless?—Yes.

506. Accepting that statement, are not the means of ventilating provided sufficient to carry off the air that might be passing through, and so get rid of the foul air?—I consider in the vast majority of conditions it would be, but strictly these conditions have to be fulfilled: There is a mica valve on the inlet pipe through which fresh air is drawn into the inspection chambers (I have got mica valves on my own house drainage) and when these are neglected they become foul on their

Sir *Guyer Hunter*—continued.

their surfaces and incapable of working properly. Supposing a puff of foul air gets into the chamber, and simultaneously a down current of air in the up-cast shaft takes place, if this mica valve happens to be out of order the natural outlet for it would be through the inlet pipe.

507. The contingency which you say might arise would arise only when it had been in disuse for some time?—It simply wants the mica valve to be perfectly air-tight and in a working condition. The moment that condition fails and you get down draughts instead of up draughts from the ventilating pipe then you would get a puff.

508. All those contingencies are scarcely likely to arise at one time?—They would arise under the circumstances I have described.

509. But it would be very improbable their all happening together?—It would be improbable. I am trying to express what I think is a defect inherent in the method of ventilating sewers; and the remedy is what I have explained; you must have a current through. If it is necessary to have a current through the main drain it is necessary also to have a current through the tary drains, and that is impossible when the drain is trapped at the base of the House.

Sir *Guyer Hunter*—continued.

Chairman.

510. But apart from that theory of yours, as I understand from you, the main drainage of these buildings, which you have set up yourself, is absolutely perfect and successful?—Absolutely so, in my opinion.

511. As regards the tributary drains that you have been speaking of, I understand they are upon the most approved method of modern sanitation, and they are, so far as you know, worked in perfect order?—Yes; I have seen several of these chambers accidentally in walking round with Mr. Jones, who has shown them to me; and they are as perfect as they can be made.

Mr. JOHN PHILLIPS, called in; and Examined.

Sir *Henry Roscoe.*

512. YOU have had great experience, I believe, for half a century at least, of the drainage of this neighbourhood?—I have.

513. You acted as clerk of the works for the drainage system which was carried out under Mr. Shone's directions?—Yes, as his assistant engineer.

514. You know the condition of the drains, perhaps, in Westminster generally?—I do, very well indeed.

515. What have you got to say about them?—I could say a great deal about them; I had a perfect knowledge of their condition 45 years ago, when I was chief surveyor of the Westminster district of sewers; since then there have been alterations made, but I am well acquainted with those alterations, and I know pretty well the present condition of the sewers. I might tell you that formerly before the main drainage, the main low-level sewer as it is called, was carried through Westminster, all the sewers discharged direct into the Thames with flaps on their mouths so as to keep out the tide as the tide rose, and then as the tide fell the sewage and water pent in the sewer flowed away, and that flow was down to low-water mark. But about 16 or 17 years ago the main low level sewer was carried through Westminster, and that sewer has since received the whole of the branch or tributary sewers in Westminster.

516. Can you say whereabouts the course of this low level sewer runs?—I will show it you on the map here (*producing a map, and tracing the course of the sewer*).

Sir *Henry Roscoe.*

517. It runs from the Pimlico pumping station past the old gaol, and then along Millbank?—Yes, and then along Abingdon-street and past the Houses of Parliament, and sweeps round to the east and north under the Embankment (*pointing to the map*).

Chairman.

518. Does it at any point pass through Old Palace Yard or New Palace Yard?—Yes; it passes across the angle of New Palace Yard, and passes direct through Old Palace Yard.

519. It passes through the angle of New Palace Yard furthest from the entrance to Westminster Hall?—Yes, in front of Wesminster Hall, and at some distance from it.

520. At the corner which is furthest from Westminster Hall?—Yes, the north-west corner of New Palace Yard.

521. I think this low level sewer is shown in red in the plan which was before the last Committee?—Yes, and the blue lines show the old district sewers.

522. The low level sewer gets under the street again after leaving the corner of New Palace Yard, at a point very nearly opposite to Cannon-row, in Bridge-street, at about half-way between Cannon-row and the Clock Tower?—Yes.

523. Then I see it goes still under the street until it reaches the river steps at Westminster Bridge?—Yes.

524. From there it goes along the Embankment?—From there it goes along under the Embankment.

525. Will you explain to the Committee where it was that they made the ventilator of this sewer?—Just at *that* corner (*pointing to the plan*).

526. That is at the top of the steps descending to the steamboat pier from Westminster Bridge?—Yes, at that angle. I saw it done, and I can tell you what they did. They made a connection from the main low level sewer with the shaft here (*pointing to the plan*), and that shaft is carried up like a pedestal. You can see it at the angle of the bridge now. That shaft was made for the purpose of permitting the foul air engendered in this sewer to pass out at the top of that pillar.

527. How

Chairman—continued.

527. How high is the pillar?—I think it is about ten or twelve feet above the pavement. I do not think they used it very much; they used it for a short time and then they put a stone upon it and covered it I believe.

528. It is practically useless now?—The fact is they found directly after they made it that the foul air from it was very objectionable in the neighbourhood of the pillar.

529. That showed, I presume, that it was doing its work and doing necessary work?—Yes.

530. Because it did this necessary work and cleared the sewer to this extent it was closed at the top?—It was closed afterwards; I think it was closed in consequence of the objectionable smells which came from it into the locality. The fact is, I think the people at St. Stephen's Club had the benefit of it to a very large extent; I was told so at the time.

Sir *Henry Roscoe.*

531. It was my impression (you will correct me if I am wrong) that this ventilation was made for the purpose of the House of Commons simply until the arrangement of Mr. Shone's ejectors could be put down, because after Mr. Shone's ejectors were put down we were cut off, and our drains are now cut off completely from any infiltration of air or anything of that sort from the main sewer, are they not?—They are.

532. Therefore, so far as the drainage is concerned, we have nothing to do with the main drain?—Nothing whatever as regards receiving foul air from the main drains, but the main drain receives all the drainage from the Houses of Parliament.

Chairman.

533. Could you tell us from your knowledge of the existing drains, where the openings in the main low level sewer are, in our neighbourhood?—The truth is that this main low level sewer right away from the pumping station at Pimlico, is, in the middle of the day, in dry weather, more than half full of crude sewage. It is a brick sewer, and you may take its size to be eight feet diameter; I think it is a little less at the pumping station and increases as it goes on. It goes right away to Abbey Mills, near Stratford, just the other side of Bow, where it is pumped up into the outfall sewer. I think it is pumped up about 47 feet; and then it flows away to Barking. There is a sewer entering the low level sewer at the west side of New Palace Yard.

Sir *Henry Roscoe.*

534. That is the one that comes from Victoria-street?—Yes, it comes from Victoria-street. Then there is another one coming into the low-level sewer from College-street.

535. What we want to know is, are there any man-holes or ventilating shafts or openings in the neighbourhood of the Houses of Parliament into this main sewer, or its tributaries?—I do not think there are any, or rather when I say I do not think there are any, I mean not real ventilating shafts; but there are other openings.

536. Are there any openings by which sewer gas could escape?—Yes.

Sir *Henry Roscoe—continued.*

537. That is what we want to know about; where are they?—The sewers you see marked blue in the map, which was before the last Committee, communicate with the main sewer, and on the sewers marked blue there are numerous gully drains, and from those gully drains there is an escape of foul air into he streets.

Chairman.

538. Is there any precaution taken to disconnect the foul air of the low level sewer from these sewers marked in blue upon the map, where you say the gully openings are?—I think not.

539. Therefore it is possible that air may come both from the sewers marked in blue upon the map, and from the low level sewer, up through these gully holes?—Noxious gases flow from the main sewer up the branch sewers, and from the branch sewers up the gullies into the streets there.

Sir *Henry Roscoe.*

540. As an engineer having great experience in these matters, how do you suggest this source of danger should be removed; by what means would you endeavour to remove it?—As regards ventilation the truth is that the whole of the drainage system in Westminster wants re-arranging altogether thoroughly, and the drainage will never be any other than it is until that is done. I am certain of that.

Chairman.

541. What do you mean by re-arranging?—I mean as regards the ventilation, and as regards the system of drainage altogether.

Sir *Guyer Hunter.*

542. Do you mean as regards construction?—Yes; the drainage of this district was originally constructed on a wrong principle. This part of Westminster, including south Pimlico on the west, was, as you are no doubt aware, originally an island. It is very low-lying land, and the drainage from Chelsea, Pimlico, Fulham, Kensington, Hammersmith, and Acton, and all that district, ought never to have been brought down into and through this part of Westminster at all. The drainage is, in consequence, thoroughly bad. There is a branch, for instance, from Whitehall and down through Scotland-yard, which enters the main sewer here (*pointing to the map*). I may mention this fact, as regards the condition of the sewers at Whitehall, the Horse Guards, Parliament-street, Great George-street, and all that district, and the district south of the Abbey, all these branch sewers are only from one to three feet above the bottom of this main sewer, and the sewage itself in the main sewer being four feet to five feet in depth, there is a back flow from it into all these sewers, so that the whole of the sewers of Westminster contain certain elongated pools of sewage. Hence the sewage has very little velocity, scarcely any, so that you have a constant exhalation of noxious gases from the surface of the sewage in all the sewers escaping by way of the house drains in the gullies into the ground atmosphere of the whole of Westminster.

Sir *Guyer Hunter*—continued.

The air thus polluted is what people living in Westminster are breathing. That is the real state of things. That is what I refer to when I say the drainage is as bad as it can be. That is to say, the whole drainage should be overhauled and re-arranged both as regards ventilation and drainage so as to prevent foul gases from being discharging at the surface, and also from being forced up through the traps into the houses as they are at present.

543. So far as the Houses of Parliament are concerned, which form the subject of our inquiry, I understand your evidence amounts to this, that the drainage which passes through Westminster was originally constructed on a false principle, and ought to have been dealt with separately from the drainage of the rest of the town on the west side of the Houses?—It ought not to have been allowed to pass through the low-lying district of South Pimlico and Westminster at all.

544. But short of a change which would remove all these large drains from the neighbourhood of the Palace altogether, have you anything to suggest which may mitigate the evil of the noxious gases emanating from those drains while they remain in their present position?—Only by making a thorough system of ventilation from the sewers, so as to carry the gases up into the atmosphere above the house-tops.

Sir *Henry Roscoe.*

545. That would be the work of the Vestry of Westminster or the county council, would it not?—Partly of the county council, and partly of the Westminster District Board of Works. The London county council have jurisdiction over the main low-level sewer.

546. That is the principal offender in your opinion, I understand?—It is, no doubt; it causes all the others to be much worse than they otherwise would be.

547. You told us of the abortive attempt to ventilate this sewer by means of a pillar at the top of the steamboat steps at the foot of Westminster Bridge; do you think that, by any alteration in that pillar, or by introducing an air-pipe elsewhere, the present evils could be mitigated?—It is not the proper place to ventilate that main sewer. It should not be ventilated into the ground atmosphere at all.

548. How high would you carry it?—You ought to carry it as high as you possibly can. If you were to carry it up, say 100 feet high, and let the discharging point be at that altitude, that is where it ought to be, and not into the ground atmosphere, where everybody is walking about.

549. Could you suggest from your own knowledge of the sewers of this neighbourhood any convenient place for setting up such a ventilation pipe?—You would require a series of them.

550. Where would you put them in the immediate neigbourhood?—The positions would have to be well studied, no doubt. All sorts of plans have been suggested from time to time; but what you want is simply fresh air inlets and down cast pipes from the street level, and foul air up-cast pipes and outlets at different points, carrying those outlets into the upper air; by that means you would get good ventilation without polluting the air where the people live.

Sir *Henry Roscoe*—continued.

551. You agree with what Mr. Taylor told us in his evidence this morning, that the introduction of ventilating pipes to those sewers at certain points would have the double effect of taking away the foul gases, which now come out through the holes which exist there, and of drawing fresh air in through those holes for the purpose of better ventilation?—Yes. Besides the ventilation I have mentioned, all the gully drains which are connected with the branch sewers as well as with the main sewer would require to be perfectly trapped so as to prevent any foul air from passing through the gully-gratings into the streets.

552. Would that be a very expensive thing for the county council or the local authority to undertake?—It would be a matter for both of them to undertake; that is to say, where the gullies are connected with the London county council sewer, they would do it, and I presume the Westminster Board of Works would do their share; but it should be done systematically with a view to the thorough ventilation of the whole system of sewers.

553. Would that be a very expensive undertoking for the London county council and the local authorities to carry out? I am speaking of the proper trapping of the gullies and the other holes?—The trapping of the gullies and the provision of fresh air inlets, and foul air outlets, should all be done under one general system, so as to insure a thorough system of ventilation above the house-tops.

554. Would it be a very expensive business altogether?—I daresay it would cost a great deal of money.

555. Would the trapping of the gullies in the immediate neighbourhood of the Houses of Parliament be of itself an expensive business?—It would be of no use trapping the gullies in the immediate neighbourhood of the Houses of Parliament, unless the main sewers were also provided with fresh air inlets, and foul air outlets as I have before mentioned.

556. You must, in fact, have a means for the foul air getting away from the main drains before you can do any good?—Yes; it occurs to me that you might take advantage of the gully drains and make those the means of ventilating the sewers, by continuing them up to a high level, and trapping where the gully catch pits discharge into the drain; that could be very easily and effectually done.

Dr. *Farquharson.*

557. How far would you go up into the air with your ventilating shafts; what is the smallest height that would be sufficient for the purpose of ventilation?—You must get above the level of the houses, so that the windows of the upper stories shall not be affected by the discharge from the pipes.

558. Would you just have a tube standing up in the air?—Yes, the same as is ordinarily done in ventilating house drains.

559. You

Sir *Henry Roscoe.*

559. You would want more than a mere pipe, would you not? It would be a shaft of some kind?—I should say on the main low-level sewer it would require pipes of three feet diameter, like shafts or campaniles.

Chairman.

560. I suppose, in fact, it might be carried up along the side of the house?—Yes, if you get permission from the owner.

Dr. *Farquharson.*

561. What would the owner of the house say if you carried up a pipe with foul air from the drains close to his windows where, probably, the next gust of wind would carry it right into his bedroom?—A point would have to be selected where the pipe could properly discharge without being an offence to any person. I may say that, as the sewage from houses generally is the cause of sewage-gas engendered in the sewers, with all the evils it produces, and all the difficulties it gives to get rid of it, so the authorities should have power, and house owners should be compelled to afford facilities, to vent the gases generated in the sewers above the houses. Then the air breathed by the people in the streets and in the houses would not be polluted by it.

Mr. *Richard Power.*

562. How many pipes would you require?—Taking the whole of Westminster you might want two or three hundred.

Dr. *Farquharson.*

563. Do you consider that the condition of the drainage of Westminster is so bad as to be beyond all dispute; would the London county council be prepared to admit that the drainage is as bad as you make it out to be; and would they accept the obligation to put it right?—I do not know what they would admit; but I know the drainage is as I have described it.

564. What I mean is, that it is not merely a matter of opinion, is it?—The surveyor of the district, Mr. Wheeler, knows perfectly well the condition of things underground as well as I do.

Sir *Guyer Hunter.*

565. Do you know why this system has been allowed to go on, and why no attempt has been made to introduce an entirely new system into Westminster? Apart from the question of pecuniary cost, is there any other reason why that has not been done?—I got out a plan for the entire drainage of Westminster, about 1848, I think, but it was never carried out

566. Do you know why; was it a question of cost?—It was on account of the change from the Metropolitan Commissioners of Sewers to the Metropolitan Board of Works. A new system and a new body came into force, and so it was not carried out, and you have instead the state of things I tell you is now in existence.

Dr. *Farquharson.*

567. What I want to get at is this: whether the condition of the drainage is a matter of opinion or a matter that absolutely cannot be disputed; if it is merely opinion, your opinion might differ from the opinion of somebody else; but is it a matter of absolute fact that the drainage is so bad?—You can judge from this: As regards the whole of the main sewers of Westminster which discharge into this main low-level sewer, the surface of the sewage in them is standing as extended pools of sewage level with the sewage in the main sewer; and from the entire surface of the slow moving sewage noxious gases and vapours emanate, and escape into the streets and houses.

568. Do not think that I question your statement, or do not quite recognise your authority and experience; but I want to know whether you think that the London county council would be likely to dispute the fact?—They know pretty well what the facts are; Mr. Wheeler would tell you all about the state of things, because he has had experience of them. I might tell you that there is a main sewer that runs along Tachbrook-street, which is called the King's Scholar's Pond main sewer. That passes from Marylebone down through the Green Park, and in front of Buckingham Palace; it turns round from there and passes through Elliot's Brewery, and along the back of Trelleck-terrace, that is at the north-east end of Vauxhall Bridge-road; it turns from there across Vauxhall Bridge-road and runs down Tachbrook-street, and goes direct into the Thames along the side of the gasworks; that sewer is 19 feet diameter in Tachbrook-street.

569. Is it a brick sewer?—Yes; I arched it over; or rather, Mr. Thomas Cubitt arched it over under my directions in 1846. The sewer was an open reservoir sewer at that time, receiving the whole of the drainage of St. George's parish and Marylebone, right up to Hampstead; and it is in existence now.

Sir *Henry Roscoe.*

570. That cannot affect us now, can it?—Well, yes. That is a place where there is a continuous generation of foul gases which diffuse from there into all the drainage system of Westminster. The gases passing from there help to pollute the whole air of Westminster.

Chairman.

571. I understand you to say that this general reform of the system of drainage, all through Westminster and its neighbourhood, would involve very considerable expense, and would require, amongst other things, some hundreds of ventilation pipes?—Yes, it would require that number specially for the ventilation of the present sewers; but I daresay if the whole of the drainage system of Westminster were to be re-arranged and re-constructed according to modern science, perhaps 50 ventilating pipes would serve the purpose admirably, because the sewerage would be arranged in such a manner that there would be very little generation of sewage gas in the sewers, and it would be carried high up into the atmosphere above the house-tops.

572. The sewers being as they are, and pending such a general sweeping reform as you speak of, can you suggest anything, which, as regards the Houses of Parliament as distinguished from the rest of the neighbourhood, would mitigate the

Chairman—continued.

the danger arising from the foul gases proceeding from the sewers?—Anything you could do in that way would simply be a palliation of the existing state of things. As palliative works you might arrange to have on the main low level sewer itself a few ventilating shafts and fresh air inlets and foul air outlets, and as regards the lines of sewers which are in the immediate neighbourhood of the Houses of Parliament, which are tributary sewers, you might improve those in a similar manner; and then you would require to provide a new system of gullies with traps so as to prevent the discharge of foul air from the sewers into the streets round about the locality. That could be done very easily.

573. Without much expense?—It would not cost much, I suppose; it might run into a few thousand pounds.

574. Not more than two or three thousand pounds, you think?—Something like that might accomplish a mitigation in that way.

Mr. WILLIAM JACOB PRIM, recalled; and further Examined

Chairman.

575. I BELIEVE you have got some evidence to give us as regards the expense of filtering the air through cotton wool, for the Debating Chamber, all through the year?—Yes. The cost of adopting the system of filtration now used exclusively through foggy weather, to the general air supply of the House throughout the Session, would be 175 *l.*

Sir *Henry Roscoe.*

576. That would free the air supply to the Debating Chamber from dust and floating particles even when there was no fog?—Yes.

577. And from any microbes that were wandering about?—Yes, so far as I am told. I should propose a renewal of the wool every three weeks before Easter, and one renewal every month after Easter, say seven renewals in all during the Session.

Chairman.

578. You say your approximate estimate for that would be 175 *l.* a year; would that be in addition to the present cost of the filtering arrangement?—No, not in addition.

Sir *Henry Roscoe.*

579. Instead of 60 *l.* as at present, the cost would go up to 175 *l.*?—Yes. I should add that we have not got sufficient filtering surface or area at present for this purpose, and there would be an initial cost for the further extension of the filtering surface.

580. What would you estimate that at?—£.50.

Chairman.

581. That would be a capital expenditure?—Yes.

Sir *Henry Roscoe.*

582. For that cost you could supply the Chamber for the whole time of its sitting with filtered air?—Yes, on the assumption that we have the enlarged propeller and the means of propelling the air which is proposed.

Chairman.

583. How much would that cost in addition?—I think Mr. Taylor said somewhere about 250 *l.* or 200 *l.*, I am not quite certain which. It involves certain structural alterations as well as the cost of the propeller itself. And in addition there would be required for the attendant 78 *l.* a year, that is 30 *s.* a week for an attendant, supposing the air is to be constantly driven in by means of a fan.

Chairman—continued.

Sir *Henry Roscoe.*

584. Is that included in your estimate of 175 *l.*?—No, because that 78 *l.* would be required on the assumption that the plus system instead of the minus system is used. The estimate which I am now giving is for a further extension of this system of filtering air while using the plus system; and the 175 *l.* would be for the cotton wool alone.

585. You would require 175 *l.* for the wool alone, and, in addition, the extra labour would cost 78 *l.*?—Yes.

586. That makes it 240 *l.*?—£. 253.

Chairman.

587. But, as I understand, 60 *l.* of that is already being expended?—Yes.

Dr. *Farquharson.*

588. Can you do anything with the wool afterwards?—I think not.

589. You do not think that there is any revenue to be derived from selling the wool; is it any use for manure or anything of that sort?—It would be useful, perhaps, as manure, but even for that it might not pay for taking it away.

Chairman.

590. Do you see any reason or argument against the substitution of such a scheme apart from the additional expense?—No, I see none.

Sir *Henry Roscoe.*

591. Provided that the money is forthcoming. You think it is advisable that it should be done?—That is a matter upon which the experiment which Mr. Lunt is carrying on will throw light. We can already, by means of canvas screens, stop smuts and dust; and it is a matter for the Committee to decide whether it is worth going further.

Mr. *Richard Power.*

592. Can you stop microbes by cotton wool?—So I understand.

593. In

Sir *Henry Roscoe.*

593. In fact, you would be supplying much purer air to the House of Commons than you otherwise are doing?—Yes.

594. It is a question for the Committee to consider whether that extra purity of air is worth the extra money?—Yes.

595. You are prepared to carry it out should the Committee decide that it should be done?—Yes.

596. Do you see any disadvantage from the use of the fan, should the Committee decide to recommend it?—None whatever.

Dr. *Farquharson.*

597. You do not think that passing the air through the wool affects injuriously in any way the quantity of air admitted into the Chamber?—We should have more power to drive it through with the extra fan.

598. Do you think it possible that the Chamber might be kept short of air on account of the air being passed through cotton wool?—Not under ordinary circumstances. It might, perhaps, when the Chamber is very full on a very crowded night.

Dr *Farquharson*—continued.

Sir *Henry Roscoe.*

599. For ordinary work, when you increase the size of the fan and the size of the filtering surface, you think that the amount of air coming through the filter would be sufficient?—Quite sufficient.

600. Occasionally, when there was a very large attendance of Members, you might have to send in other air, such as you can now send in, in addition to the filtered air?—Yes; arrangements would be made so that we could send it in by another channel.

601. Do you think that for the Members who attend regularly and sit there for hours, and for the officers of the House, such a supply of filtered air would be valuable?—Yes.

Dr. *Farquharson.*

602. On extraordinary occasions, when there was a great pressure, you could supplement the quantity of air coming through the cotton wool by passing in unfiltered air from other sources, such as we have at present?—Yes.

Monday, 13*th July* 1891.

MEMBERS PRESENT:

Dr. Farquharson. | Sir Guyer Hunter.

THE RIGHT HONOURABLE DAVID PLUNKET, IN THE CHAIR.

Mr. ALEXANDER RICHARDSON BINNIE, called in; and Examined.

Chairman.

603. YOU are Engineer to the London County Council?—I am.

604. Have you seen the evidence that was given by Mr. Phillips on the last day the Committee sat?—I have.

605. He draws a very alarming picture of the state of the drainage in Westminster, and he suggests that something should be done, partly he thinks by the vestry, and partly through the assistance of the London County Council, with a view of remedying the existing state of things; will you give us your views upon that subject?—Since I saw Mr. Phillips' evidence I have prepared a plan founded on the plan you had before you on the last day of your sitting (*handing in the same*), showing the sewers in the neighbourhood of the Houses of Parliament, both the main sewer and the district board sewer, and the ventilators. Since I was requested to come here I have inspected the main sewer, entering at the south end of Abingdon-street, and passing along the sewer to the Embankment at the end of Westminster Bridge; that sewer, which is a brick sewer, is 7 feet 6 inches in diameter. Formerly it used to run very nearly full; that is to say, there would be a depth of 6 feet; but in consequence of improvements made in the pumping machinery at Abbey Mills, and in consequence of repair of pumps and re-arrangements, within the last 12 months, we have reduced the normal level in that sewer to half its diameter, 3 feet 9. To enter the sewer, as I did last week, I had to stop the pumping at the Western Pumping Station in Grosvenor-road. There was about 18 inches flowing in the sewer, and I found the sewer in a remarkably clean state. There was a little gravel at the bottom, and in the gravel there was a little deposit of sewage, but that was all. The atmosphere of the sewer was, for a sewer, very pure indeed; I entered the sewer on Thursday morning, there having been a heavy thunder-storm on Wednesday night. If any evil was to be anticipated from the escape of any sewer gas from this sewer, I should have thought it would have been felt very severely on the previous Wednesday evening, because at that time, owing to that heavy downfall of rain, the whole sewer became surcharged, and any sewer gases that it contained would have been forced outwards; I cannot speak from my own experience as to what the result was, but I have heard of no complaints in the whole of the surrounding district with regard to any smells of any kind on that occasion.

Chairman—continued.

606. You say the sewer was pretty clean; would not the effect of that great downpour of rain on the Wednesday night have been to sweep the sewer comparatively clean?—It might have had that effect to a certain extent with regard to the upper part of the sewer, but I should imagine that the lower part was always pretty well in the state in which I saw it, because the velocity of the water flowing in is so great that I do not think any deposit could take place in the sewer.

607. Do not you think that the clean state of the sewer might have been partly the result of the heavy storm of rain on the preceding night?—No; I should imagine that that sewer was always in that state, because there is always a small river flowing through it, which would prevent the deposit of any flocculent matter.

608. Where does the river come from?—The sewer drains the whole district, extending to Acton in one direction and Putney in another.

609. Where does the water come from?—It is all sewage water; there may be a little land water leaking in at various points.

610. Would not the sewer be affected at all by a heavy rain-storm?—The local sewers draining into it would.

611. Would not a heavy rainfall have the effect, in the course of time, of cleaning out the sewer, by increasing the velocity of the motion of the sewage in the sewer?—The velocity would be much greater as it filled up; it would be much greater than when I saw the sewer; it would have been perfectly dangerous to enter it this morning, on account of the depth and the extreme velocity.

612. Would not the result of such a heavy rainfall as that which took place on the day before be to produce an unusually well cleaned-out appearance in the sewer?—In the upper part it might, where the bricks had recently been washed; but the evil you have to guard against in your sewers is the deposit which takes place at the bottom of your sewer.

613. Would not a very great volume of water rushing through the whole sewer above and below, the day before, have had the effect of cleaning the sewer more completely than if that heavy rainfall had not taken place?—I hardly think so. We find that the effect produced by a heavy

Chairman—continued.

a heavy rainfall is, for the first half hour, to bring into the main sewer a very large deposit of exceedingly foul matter from the local sewers.

614. You went into this sewer on the day following a heavy rainfall?—Yes.

615. After the first half hour is not the effect to sweep the sewers very clean?—Yes, certainly, the local sewers; but I draw a distinction between the contributory sewers and our main line drains.

616. Still those contributory sewers fall into the main sewers?—Yes.

617. Therefore bringing down the rain they would have the effect of flushing the main sewer?—Yes, carrying anything away in it.

618. That very thing happened on the evening before you went into the sewer?—Yes; but I should hardly anticipate that the effect of the rainfall could be to take away what I do not believe exists as a normal thing in that sewer. I cannot conceive of there being any deposit except gravel or sand lying there under so great a velocity.

619. Still if there had been a deposit it would have been washed away?—Yes.

620. Therefore that particular visit of yours may have been made under exceptional circumstances?—Possibly; but from my knowledge of the main sewer I can hardly suppose that the state of things was very different from the normal state.

Sir *Guyer Hunter.*

621. With regard to the size of this sewer, and the proportion of it that is filled; you say it is 7 feet 6 in diameter?—Yes.

622. And it is made of bricks?—Yes.

623. What is the depth of it below the roadway?—The top of it is about 20 feet below the level of Abingdon-street.

624. What is the level of the flow?—Three feet 9 above the bottom of the sewer.

625. What is the velocity per minute or per second?—Three feet a second.

626. Are there any ventilators to this sewer?—Yes; there is a ventilator near the south end of Abingdon-street, and another ventilator near the statue in Old Palace Yard.

627. What is the distance between those ventilators?—About 600 feet; those are the only two ventilators in the neighbourhood; there are no others till you pass a long way down the Embankment.

628. This sewer carries off not only sewage matter but also the storm water?—It does.

629. You have no system of flushing this sewer; you merely depend on the storm water for flushing?—Yes. Whenever there is a fall of a tenth of an inch a day, it will be quite fully charged.

Chairman.

630. You say that by recent improvements in the pumping machinery at Abbey Mills, the depth of water in the sewer has been reduced from 6 feet to 3 feet 9, the diameter of the sewer being 7 feet 6; has the velocity been increased at the same time?—No. The velocity would be greater if it was running quite full, or if it was running with a depth of 6 feet; but now the velocity is quite sufficient to carry any one away who got into the sewer.

Chairman—continued.

631. The sewers coloured blue on your plan are the sewers of the district board?—Yes. In passing through the sewer I found that the improvements suggested by Major Tulloch, when he was examined before the Committee of 1885, had not been carried out, that is to say, those large sewers coloured blue on the plan still remain, but at the point of junction with the low-level sewer near Z (in Abingdon-street), there is a flap to prevent the sewage water, when the sewer gets charged, passing up into the collateral sewer. At the points X and Y (west side of New Palace Yard), the ends of those large sewers, 5 feet 6 high by 3 feet wide, and 6 feet 6 by 3 feet 10, have been bricked up, and any sewage that comes down those is passed into our main sewer through pipes about 18 inches in diameter, with a proper hanging valve on them to prevent sewage passing into the collateral sewer when the main sewer gets charged. Those are the points of connection with the collateral sewers. What I should be afraid of now is exactly what Major Tulloch pointed out in 1885 that those sewers might get charged with sewer gas, and on the occasion of such a storm as that we had the other evening that gas might be forced out into the streets.

632. What becomes of that sewer gas?—It must get out somewhere ultimately; it would not come out in a volume.

633. How would it get out ultimately?—Ultimately, if there are any house connections with that drain, it may be forced up by breaking the water trapping.

634. Is that the way in which you suppose that sewer gas does escape?—Where there are no ventilators it must do so. I should like to place before the Committee a Report of my predecessor, Sir Joseph Bazalgette, in January 1885, on the recommendations made by Major Tulloch, in which he says, "I recommend that a communication be addressed to the Westminster District Board, drawing their attention to the recommendations in Major Tulloch's Report which have reference to the sewers under the jurisdiction of the district board, and stating that this board's engineer concurs generally in those recommendations." I may say I concur in Major Tulloch's recommendations. Though these sewers are not perhaps a source of immediate danger, yet the sooner they are removed the better.

635. What would you substitute for them?—A pipe would be quite sufficient. One portion of this sewer is 5 feet 6 by 3 feet 10, and another portion 6 feet by 4. Those sewers are enormously too high for the duty they are called on to perform, and Major Tulloch suggests that they should be removed, and a small pipe drain substituted. A pipe drain of 12 inches diameter would be quite sufficient to carry any water that came down.

636. Do you think that would entirely remove any possibility of sewer gas being generated and disseminated through the neighbourhood?—I think so. To a great extent that would remove the evil. These stores of sewer gas, or vitiated

Chairman—continued.

air under the streets, might in a big storm be sent out into the atmosphere, not that I can say that that has resulted in my experience, because last Wednesday there was a very heavy rainfall, and there were no complaints at all.

637. When you say there were no complaints last Wednesday, have you received no complaints on other occasions?—Once since I took office. I took office 12 months last March. I have had one complaint from Mr. Brunel, the engineer, who lives in Abingdon-street, the smell of which he complained apparently proceeded from this old sewer.

638. Did he complain of sewer gas coming up into his house?—He complained of some smell in his house, which he attributed to the drains.

639. How long ago was that?—Some time last year.

640. Is that the only complaint you have had?—That is the only complaint I have had in the district.

Dr. *Farquharson.*

641. I suppose if there were complaints in the district they would not come to you?—Yes, they would.

642. The inhabitants know that they can appeal to you?—Yes; anything connected with our main drainage system comes direct to me.

Chairman.

643. You are aware that, as the result of the recommendations of the Committee which sat in 1885, a ventilating pipe was put at the top of the steps leading to the steamboat pier at Westminster Bridge?—Yes.

644. And that pipe so far carried out its purpose that it discharged a quantity of sewer gas or some kind of vitiated air, disagreeable and probably injurious, into the atmosphere there? It did.

645. We have been informed that in consequence of complaints by neighbours that pipe was stopped up by a stone being put on the top of it?—Yes, it has been built up.

646. Has anything been done to provide a substitute for that means of keeping the sewer free of sewer gas?—No, nothing has been done. In fact one of the evils of our main drainage system is that the ventilators are gradually being closed and the sewer gas is penned up in our sewers without any proper means of egress. At the present time wherever it is possible (we have no compulsory power to do it, and therefore it is by consent only) we are doing this, keeping the ventilators in the streets open, and then in the neighbourhood we are carrying up pipes above the houses. In that way we get perfect ventilation of the sewers. The road gullies, or road ventilators, act as down casts, and the pipes going up act as up cast shafts carrying off the gases. We find that removes complaints in many districts.

647. Where there is not such a system, you would admit that there is a certain amount of evil, and, I suppose, of danger, arising from the absence of such ventilating arrangements?—Undoubtedly.

648. This ventilating pipe at Westminster Bridge, which it appears has now been closed, was

Chairman—continued.

placed there for the very purpose of preventing these evils in the neighbourhood of the Houses of Parliament?—Yes.

649. It has been closed, and as I understand no arrangement of a similar kind has been substituted for it?—There has not.

Dr. *Farquharson.*

650. Was it closed by the county council?—By their predecessor, the Metropolitan Board of Works. Complaints were made, I believe, by residents in the Speaker's house and by St. Stephen's Club.

651. Do you find where you endeavour to carry these ventilating shafts to the tops of houses that the inhabitants object?—They are very often ready to give us every facility; not in all cases, because a pipe interferes sometimes with the architectural arrangement of a house; we carry them up as frequently as we can to match the rain-water pipes.

652. Is not there just the chance that a puff of wind may blow the sewer gas from one of these ventilators into your bedroom window? — We take the ventilator up away from the windows, and as far removed as possible from the chimneys.

653. No difficulty has been put in your way by the inhabitants of the houses?—No; of course they object to their houses being disfigured, but they are very glad to have the ventilators put up when they find that all the chance of sewer gas passing into their houses is removed.

Chairman.

654. Do not you think it would be advisable, as soon as possible, for the county council to substitute something effectual, a ventilating pipe or shaft for that which has been closed?—I think so; and if I might be so bold as to make a suggestion, I will make one I have been shown by Mr. Prim over the whole of the arrangements in the House, and I think if a 12-inch pipe could be carried up the Clock Tower, parallel with your own ventilating pipe, not making any connection with the ventilation of the House, I am sure it would be of the greatest advantage, because we find in a tall building such as this no dwarf ventilation would prove efficacious. Such a pipe would ventilate the sewer.

Sir *Guyer Hunter.*

655. Is not it the case that efficient ventilation through such a pipe would depend a good deal upon the temperature of the external air?—Yes.

656. The temperature of your sewer in relation to the temperature of the air must be a matter of great importance in the ventilation of the sewer?—Yes.

657. If the temperature is very low as we had it last winter, do you find that that arrests the flow of the gases through these pipes or sewers?—No, for this reason; there is always a large proportion of warm water passing through our sewers. Take the sewer mentioned by Mr. Phillips; that is always receiving from Watney's brewery a large amount of boiling water; so the air of the sewer, without being hot, is always of a temperate character.

658 Warmer than the external air?—In winter

Sir *Guyer Hunter*—continued.

winter, certainly; the only time when the external air gets better is in summer time; sometimes it does then.

Dr. *Farquharson.*

659. Is sewer gas heavier than ordinary air, or lighter?—It is rather a sluggish, heavy kind of gas, heavily charged with moisture.

660. Heavier than atmospheric air?—Yes.

661. Would the construction of this pipe which you propose should be carried up the Clock Tower be a very expensive thing; would it cost a large amount of money?—No; supposing the authorities of this House approved of such a proposal, certainly the county council would pay all the expense of carrying the ventilator up the Tower; it would be an opportunity which should not be neglected. I should advise them to do it at once.

662. Do you think it would be sufficient if we reported in favour of the proposal?—I should think if the authorities who have charge of this subject in the House gave permission for such a ventilator to be carried up, that would be sufficient.

663. You think that would be sufficient to induce the county council to undertake the work?—I should recommend the county council to do it at once.

Chairman.

664. Mr. Phillips said he had a large scheme, as I understood him, for transferring the main drainage of Westminster from the lower or eastern side of the district to the higher and western side; what do you say about that?—I have read Mr. Phillips' evidence, but never having seen the plan, I should be sorry to express an opinion upon it. I can only say, as Mr. Phillips told you, the sewers of Westminster were constructed a great many years ago on not very scientific principles, and we have to work them the best way we can.

Sir *Guyer Hunter.*

665. You would not build them now on such a principle?—No; the size of these sewers for draining houses is absurd, according to modern notions.

Chairman.

666. Would the transfer of the whole system of sewage from one part of the district to another be very expensive?—Yes.

667. Then Mr. Phillips was asked, "The sewers being as they are, and pending such a general sweeping reform as you speak of, can you suggest anything which, as regards the Houses of Parliament as distinguished from the rest of the neighbourhood, would mitigate the danger arising from the foul gases proceeding from the sewers?" and his answer was, "Anything you could do in that way would simply be a palliation of the existing state of things. As palliative works you might arrange to have on the main low level sewer itself a few ventilating shafts and fresh-air inlets and foul-air outlets." Do you consider that this one pipe which you propose to set up alongside the Clock Tower would be sufficient to answer the purpose?—Yes.

Chairman—continued.

668. You think that would completely remedy the evil we are talking of now?—Yes, the ventilators in Abingdon-street which have been spoken of being allowed to remain, if a pipe were carried up the Clock Tower the air would enter the sewer and flow naturally with the stream of the sewage till it came to this pipe, and then it would pass upwards, and I think for the House that would be the best protection you could get.

669. If you had such a pipe put up alongside the Clock Tower, would it be a good thing then to re-open the ventilators which have been closed just outside New Palace Gardens?—I do not think it would be necessary.

670. Do you think the existing ventilators would be sufficient?—I think the one in Abingdon-street, and the other in Old Palace Yard, would be sufficient for the purpose.

671. Then Mr. Phillips went on to say, "As regards the line of sewers which are in the immediate neighbourhood of the Houses of Parliament which are tributary sewers, you might improve those in something like a similar manner." Would you be disposed to apply the same system to the contributory sewer?—I should be inclined to follow Major Tulloch's bolder suggestion, and ask for their removal entirely, substituting pipe drains in their place; then the pipe drains would not contain any large amount of sewer gas.

672. Then he says, "And then you would want to provide a new system of gullies with traps so as to prevent the discharge of foul air into the streets round about. That could be done very easily"?—That is a thing that the local authority, I should think, would see done.

673. You are in favour of that being done?—Yes, certainly; I have not heard of any complaints; therefore I am only assuming that there is an existing evil which wants remedying.

674. They would hardly be made to you, as the question is one concerning the parish?—Yes.

675. Therefore there might be complaints without you hearing of them?—Yes.

676. Then Mr. Phillips was asked whether this could be done without much expense, and his answer was, "It would not cost much, I suppose; it might run into a few thousand pounds." Do you agree with him in that?—Certainly.

677. Before we leave this part of the case, I should like to ask you this: Suppose this pipe which you suggest were put alongside the Clock Tower, you say that would create a draught of air which would descend into the sewer, and run along with the sewage; but would that be the case in a flood, the result of a heavy rainfall, when the sewer would be full of liquid; would there be any room for the air?—No, there would not; the fluid would take its place at the time the sewer became surcharged.

678. Under such circumstances would there be any danger from the existence of these ventilators in Abingdon-street and Old Palace Yard?—I think not.

679. You say you have been over the whole of

Chairman—continued.

of the drainage system of this House; do you consider it a satisfactory system as it is at present?—As regards the ventilation of the Debating Chamber I think it is one of the most perfect things I ever saw; as regards the Committee Rooms, I cannot speak with the same approbation; everyone knows the ventilation of the Committee Rooms and the corridors wants improvement.

680. I am referring to the sewage system?—It is most perfect; it is entirely isolated from our sewers; no gases can pass from the main sewers into the House at all, and everything that is required to be ejected is ejected into our sewers without any risk of contamination.

681. May we take it that in your opinion, as the result of your inspection of the drainage system of the House, there is no possibility, so far as you can judge, of sewer gas coming into the House through its own drains?—It is practically impossible it can do so. Of course the duplicate machinery that Mr. Prim has described might break down all at once, but it is an extremely remote probability that it would.

682. If there be any sewer gas recognised by any persons within the House your suggestion is that it must come in through the ventilation, or be wafted from some place else; it cannot come up through the sewers of the House?—It cannot come up through the sewers of the House certainly.

683. Do you see any danger of these gases as they escaped from the ventilating pipe that you propose to put alongside the Clock Tower doing injury to the ornamentation of the clock?—No; it is all gilding, and gilding is not easily affected by such diluted gases as these would be.

684. I should like to ask your opinion upon this point. It has been suggested by some people that it would be better to take the air for the ventilation of the House from high up than as we do from the ground. Mr. Prim has given evidence to the contrary. He thinks the air would be worse above than below; what do you say about that?—I am inclined to agree with Mr. Prim. Taking it at a higher level probably you would get more smoky air, at the same time it is quite possible that analysis might prove it to be a purer air; but with regard to drawing the air from the Terrace I think that is certainly the best source at the present time. I should like to place before the Committee, as they have asked me this question, a very pregnant sentence in one of the Local Government Reports made by Major General Scott, the water examiner. Speaking of the Thames he says: "It is shown in the table above that the maximum daily supply which might be required in 1893 is 128,000,000 gallons. So that for a brief period 45 per cent. of the whole volume of the river would be withdrawn." He is speaking there of Teddington; and in a recent inquiry I had occasion to examine into the same thing (and it is a matter that Parliament will have to watch somewhat carefully in future), and I found that in 1885, during the whole of August, 31¾ per cent. was being taken out of the river at Teddington, and on one particular day in August 39½ per cent.. In the year 1887, in August, 37 per cent. was taken out as the average, and on one occasion it ran as high as 39·6, coming very near to the estimate formed by Major General Scott. In future, if that is allowed to continue, drawing the air from the Terrace might be, I do not say dangerous, but exceedingly unpleasant, because do what we will with the main drainage of the metropolis, we are dependent very largely on the upland waters coming down to the Thames for keeping the river clean of any noxious matters. We cannot prevent noxious matters passing into the river as it flows through London, and the effect of the tide is to cause them to oscillate backwards and forwards before being discharged into the estuary, and the only thing we have to depend on to mitigate that evil, especially in summer, is the water that passes over Teddington weir. So I think the Legislature should guard themselves by directing their attention to what may result from larger quantities of water being abstracted.

685. From what part of the river is this large quantity of water that you speak of taken?—At Hampton, for the purpose of water supply.

Dr. *Farquharson.*

686. Has your attention been directed to the complaints that have occasionally been made by Members of the House of smells on the Terrace?—I have seen something about such complaints in the evidence; but I am inclined to agree with Mr. Prim, that the smell complained of comes probably from passing steamers, because the smell of gas from a furnace, when it is mixed with enough air, is a very similar smell to the sulphuretted hydrogen that you get out of drains. I have noticed myself it is very difficult to tell the difference between the fume from a steam engine and the fume from a drain, when slightly diluted.

687. I asked Mr. Prim whether it was an easy matter for one whose nose was not accustomed to these nice distinctions, to tell the difference between sewer gas and other smells?—I have heard complaints that there are smells complained of in Westminster, which are traceable to something that goes on at the gasworks at Vauxhall Bridge. I cannot speak of it from my own knowledge, but Mr. Wheeler, the engineer of the Westminster Board of Works, who will be before you, will tell you more about that than I can.

688. Supposing you get this ventilating pipe up to the top of the Clock Tower, you know there is a strong furnace at the base of the Clock Tower, would there be any chance of sewer gas being sucked into the Clock Tower by the furnace?—No, I think not. The vitiated air from the Debating Chamber goes up in the large shaft, hastened by means of the fire, but going up the same shaft is the pipe that ventilates the drainage proper of the House; it is parallel to that that I should suggest another pipe being carried up from the main sewer.

Chairman.

689. Arising out of what you have just said with regard to smells coming across the river, you say that the odour produced by these emanations from the gasworks and elsewhere, when diluted

Chairman—continued.

diluted sufficiently with air, resembles the smell of sewage; is it equally deleterious, do you think, to health?—No, I do not think it could carry with it the germs of any disease; if there was a sufficient volume it would choke a person.

690. Though the smell is very similar, you think it would not have the same injurious effect upon health?—Certainly not. Of course I need not say it should be excluded, if possible.

Sir *Guyer Hunter.*

691. You mentioned a matter of great importance, viz., the large quantity of water taken out of the river by the water companies; have you ever noticed in seasons of drought any mud-bank in the vicinity of the House?—No; at low water there is a little exposure in one or two places, but not in the neighbourhood of the House; there is a gravel bed exposed below the Terrace at one place.

Sir *Guyer Hunter*—continued.

Chairman.

692. You do not think that there is any possible danger arising from the deposit there?—No; I think the current of the river sweeps any mud pretty clear past the Houses.

Mr. George Robert Wheeler, called in; and Examined.

Chairman.

693. You are Surveyor to the Westminster Board of Works?—I am.

694. Will you tell us something about the ventilating gratings in the vicinity of the Houses of Parliament being stopped?—These, at the junction of Bridge-street and Great George-street, were stopped some few years back on account of complaints. Major Tulloch thought it better that they should be stopped, but two in Abingdon-street are still open.

695. You have heard the evidence given just now by Mr. Binnie?—Yes.

696. May I take it that you agree generally with what he has said?—Not on all points.

697. Will you tell us on what points you disagree with him?—On the sewer coloured blue (that is the sewer of the District Board), there is a ventilator open at Old Palace Yard, and there is also a ventilator open by St. Margaret's Church; and into this sewer, which is 5 feet 6 by 3 feet, there are seven house drains, one from this House, and six from these houses in Abingdon-street; one is Mr. Labouchere's house. This (*pointing to the plan*) is the house of Mr. Brunel, who made the complaint to which Mr. Binnie referred; Mr. Brunel's drain, I believe, goes into the main line sewer. We have never had any complaints from the occupants of these houses (*pointing to the six houses in Abingdon-street*). This is a little sketch got up for my Board some time ago on an order from Sir Joseph Bazalgette. It was suggested that flaps should be put on all the tributaries, that is our sewers, where they connected with the main line sewers, that is to say the sewers under the control of the Metropolitan Board of Works. I opposed that on these grounds, that after the slightest rainfall the main line sewers, which are the main arteries, taking the sewage from the north of London, are fully charged, and consequently there is no outlet for sewer gas. Now our sewers are all ventilated with ventilators 150 feet apart. If we were to put in these flaps the sewage here would be penned up for days, because the normal flow of the main line sewer is about 3 feet, and to put in these flaps would give us no relief at all, because the normal flow would almost hold back the sewage in the parish sewer consequently we did not put in those flaps.

698. Mr. Phillips, who was examined at our last sitting, said that the condition of the drainage of Westminster was so bad as to be beyond dispute, and he also said that you knew perfectly well the condition of things?—I would explain to the Committee that the condition of things is this: our sewers, if they had proper relief at their outlets, are sufficient to drain the district; we cleanse them thoroughly, but, unfortunately, after each rainfall, the main sewers are so charged that they half fill our sewers by gravitation. When the flood water is relieved by the pumps at Abbey Mills, there is a certain amount of sludge left in all the sewers, and then we have to cleanse then.

Chairman—continued.

699. What do you do to cleanse them?—We cleanse them by water and disinfectants. If the main sewers were so constructed as not to allow of such overcharging, we should be perfectly free, and there would be no smells, or very little.

Dr. *Farquharson.*

700. It is the effect of the main sewer being too large for its function, is it?—Too small; for the main sewer taking the sewage from Grosvenor-road to Abbey Mills, no doubt the estimate was not sufficient, because Sir Joseph Bazalgette could not foresee what the growth of London would be, and it has so increased that I consider that sewer much too small. There should be a relief sewer at the west of London instead of bringing all the sewage down into this low-level district. What Mr. Phillips has mentioned is perfectly correct, but as I understand him he does not find fault with the sewers of Westminster, but the system into which they connect, because he knows it is impossible for us to get relief while those are charged three days in the week.

Chairman.

701. You say they are charged three days a week; you do not mean there are floods three days in the week?—The normal flow is halfway up, consequently the sewage flows back into the tributaries.

702. And three days a week that occurs now?—When Mr. Binnie went to examine the sewers he had to have them shut off at Grosvenor-road, and there was only a little sediment at the bottom; but if they were examined now there would

Chairman—continued.

would be 3 feet 9 or 4 feet of water in them; consequently it is running into our sewers, and our sewage takes a long time before it can get off.

703. Producing in the meantime a certain amount of sewer gas?—Yes, a certain amount of sewer gas and sludge.

704. Where does that sewer gas find its exit?—Through our ventilators.

705. Where are those ventilators?—They are at distances, 150 feet apart, in nearly every street in Westminster.

706. You said there were two in Abingdon-street?—Yes, one here and one here by the church (*pointing to the plan*).

707. It is quite possible, if the wind were blowing that way, that it might carry that sewer gas to the court-yards, through which we get a great amount of our ventilation?—It might; but we never have any complaints from houses only a third of the distance.

708. But they have not got the same system of sucking in air for the purpose of ventilation?—With regard to the system of sucking in air I should like to point out that we have had several complaints with regard to the smell from the gas works, but it is not injurious. When they turn over the blue billy the stench then is exactly like sewer gas, and there have been lots of complaints from residents in Grosvenor-road, who have said that the smell of the sewers is very bad.

709. Do you suggest that that may be an explanation of the complaints of the smell of sewer gas which we often hear?—I think so to a great extent, because the residents in several houses in Grosvenor-road have been to me and said, "What is this sewer gas?"

710. Is that emanation from the gas works supposed to be injurious to health?—No, it is not injurious to health.

Sir *Guyer Hunter.*

711. What is the distance of those works from the House?—I should think an eighth of a mile; they are at Vauxhall Bridge. The smell has travelled as far as Victoria-street several times; we have traced it.

Chairman.

712. You heard what Mr. Binnie said about his idea of carrying a pipe up by the Clock Tower so as to ventilate the main sewer; do you think that would be a good plan?—I do not, unless he can reduce the flow, because sometimes at flood the flow along the course of this main sewer has been so great that the water has come right up the openings; so if there was this pipe and the sewage was up high in the sewer, what ventilation would there be in the sewer?

713. At other times it would be of use?—At other times it would be of use.

714. Except when the sewer was quite full it would have the effect suggested by Mr. Binnie?—Yes.

715. But you think with such a pipe, at certain times when the sewer was very full, it would not be sufficient for the purpose?—The county council are about giving relief works at

Chairman—continued.

King's Scholars Pond, whereby during floods or heavy rains they would so divert the flood water that it would not pass down by this sewer; that is going to be done in consequence of the continued complaints that have been made.

716. You understand that is going to be done?—I am given to understand that that is going to be done.

717. That you think would, to some extent, meet the evil that you complain of?—It would meet the evil of our sewage impinging upon their sewage when their sewers were fully charged.

718. As regards these gullies, Mr. Phillips suggested that, besides fresh-air inlets and foul-air outlets, all the gully drains which are connected with your sewer as well as the main sewer would require to be perfectly trapped so as to prevent any foul air passing into the streets round about; what do you say to that?—I think that would be advisable. There are ten street-gullies in the immediate neighbourhood of the House, and they are not on the most improved principle, and we should be very pleased to do that.

719. In what way would you propose to meet the evil?—We might put in gullies of an improved principle that are continually trapped, which we attend to during the summer by seeing that they are continually filled with water to prevent any gas coming out. At the present time, I think, there are one or two of the old Westminster gullies, that is, the old brick pit, with a flap at the inlet.

720. Are those under your jurisdiction?—Yes.

721. You would be able to set those right?—Yes; we should put a new system of gullies here.

722. When will you have the opportunity of bringing that before the notice of the board?—On Wednesday.

723. We are looking at it entirely from the point of view of the interests of Members of the two Houses, and it would be satisfactory if we could get some assurance that that would be done before the next Session?—I can give that assurance. The gullies here are all perfect (*in Bridge-street*); they were all reconstructed when the wood paving was laid down, I think, as far as here; one or two here are not so good (*Old Palace Yard, and outside Westminster Hall*).

724. Are those gullies cleaned and disinfected at present?—Yes, in summer, about once in three weeks.

725. How do you clean them?—With ladles; we take out the stuff and cart it away, and throw disinfectants in every week; every one of the gullies throughout the district is washed down and disinfectants put in.

726. Do you think that as much as could be done in that direction is done already?—We could give the sewers a weekly cleansing if necessary; but we do not find sufficient sediment in them to necessitate its being taken out weekly.

727. Can you tell us anything about the sewers in the gardens at the back of Abingdon-street?—There is an old sewer in College Mews; there was an old sewer at the back of Mr. Labouchere's

Chairman—continued.

Labouchere's house; I think that was done away with.

728. Is that in your jurisdiction?—No.

729. Whose jurisdiction would that be in?—It would be under our jurisdiction to serve notice to do away with the nuisance, and notice was served.

730. Have you any means of ascertaining whether that notice was complied with?—I could find that out.

731. Are you satisfied that those sewers in the gardens at the back of Abingdon-street have been set right?—Not in all cases, I think; I will satisfy myself upon that point.

732. Where do those sewers lead to?—They run into Great College-street.

733. Do they join the main line sewer?—Yes.

734. Have you any suggestion to make about that?—Only the same suggestion as applies to everywhere else; all these sewers, where they connect with the main line sewer, are subject to being flooded.

735. Because the main sewer is not of sufficient capacity?—That is so.

736. And you hold that that is an evil which will grow worse and worse every year as the population increases?—Yes; I should like to say that I am of Mr. Phillip's opinion, that this main line sewer should never have been brought into the low level district of Westminster; but should have been kept up the hill, up Oxford-street way.

737. I suppose it would be an enormously costly affair to move it up there now?—There is the middle level sewer which runs through Oxford-street, which might perhaps be made available.

738. Do you suppose it would be possible to take advantage of that middle level sewer in order to deal with the sewage now carried through the low level sewer which runs on the south side of the Houses of Parliament?—A great deal of it. It was brought before the notice of this House when the Central London Bill was before the House last year, and it was suggested then that it was quite possible that the middle level sewer in Oxford-street might have been increased in size.

739. As part of that scheme?—As part of that scheme.

740. It would be an enormously costly thing except as part of such a scheme, I suppose?—I think the county council have ordered plans and estimates to be prepared for a large sewer about a mile north of the Oxford-street sewer that if constructed; it would relieve this sewer, and during the time of the construction of that sewer these relief works at King's Scholars Pond, at the end of Vauxhall Bridge-road, are to be made.

741. Do you think if that work were carried out it would greatly improve the sewerage system of Westminster?—I am sure it would, because the flood water instead of coming to the low level sewer would be taken off before it came down the hill.

742. Under those circumstances do you consider that the existing low level sewer which passes through Westminster would be sufficient for its purposes?—I think the low level sewer should be better ventilated.

743. Apart from the better ventilation of it, your present objection to it is, that it is not sufficient in capacity for its purpose?—That is so.

744. You think it would be better for its purpose if relief were given to it by the construction of the sewer you speak of, higher up the hill?—Yes. The difficulty we have to grapple with here is that when the middle level sewer is fully charged, which it often is, it overflows, and the sewage comes down by gravitation to this low level sewer. The sewers running down Victoria-street and the sewers in the Westminster district and in St. George's, Hanover-square, discharge the whole volume of their sewage into the low level sewer, so the whole of the low-lying district gets overcharged, and remains so some time.

745. I daresay you still agree that the drainage of the Houses of Parliament is perfect?—Yes.

746. What you say is, that apart from the drainage of the Houses of Parliament, the drainage of Westminster, outside the Houses, is at present in a very unsatisfactory condition, owing to the want of capacity in the low level sewer, which drives back the sewage into the sewers of your district?—I agree with what Mr. Phillips said, that our sewers are old sewers, but I must say they built sewers then. I have been through nearly all the system of the Westminster sewers, and I know they are built of good bricks; some of them might want lining. The vestry would be only too willing to do that, but I must say that they are being continually worn by the flushing backwards and forwards of the sewage from the main line sewers.

747. Your view is that till there is a radical reform of the low level sewer, either by enlarging it or by taking away the sewage which it cannot manage at present, by some other large sewer, such as that to which you have referred as being about to be made near Oxford-street, till the overflow from this low level is relieved in one or other of those ways, you cannot put your Westminster drainage into a satisfactory condition?—It would be a waste of money. My own impression is, that no crude sewage, or sewage capable of giving off gases, should be allowed to travel through the streets of London. I think before sewage is put into the sewers, or in its transit, it should be either deodorized or purified, so that no gases should be made or formed. I have examined a system which seems to me to be a successful one, and which does not allow gases to form.

748. What system is that?—It is a system that the county council were trying or gave permission to try.

749. How do you describe it; has it any name?—No, I do not know that it has; it is a system by which receivers are placed on the crown of the sewer, and from those receivers certain chemicals are dropped into the flowing sewage which, by this means, is cleared of sewer gas.

Dr. *Farquharson.*

750. Is that the system of precipitation by lime?—No.

Chairman.

751. Is this system of disinfecting sewage a very expensive one?—They offered to put up an apparatus in our district for 15*l.*

752. That would be for the plant, apart from the yearly cost of the material?—Yes.

Sir *Guyer Hunter.*

753. What would be the cost of disinfecting a gallon of sewage by the A. B. C. system?—I do not know. In my opinion sewage should never be allowed to run through the streets in a large city in a crude state because it must make poisonous gas, and if you stop up the ventilators you drive it into the houses.

Mr. ROBERT HARRIS REEVES, called in; and Examined.

Chairman.

754. HAVE you had experience as a sanitary engineer?—I have had ten years' experience in the Government service in ventilating buildings nearly as large as the House of Commons; and 10 years London practice, taking ventilation and sewage as treatment as a special study.

755. Where were those buildings?—At Portsmouth and at Parkhurst; in fact, the system is exactly the same; the only difference is in the machinery. I have built large buildings, and had the testing and measuring of the quantity and quality of the atmosphere going in and coming out of those buildings for weeks. Those buildings, I think, are more difficult to ventilate than the Houses of Parliament, because there are more inlets and more openings in the Houses of Parliament. Sir Edmund Du Cane, under whom I was working, has brought the system of ventilation to a high pitch of perfection. When I saw in the papers that so many Members of the House of Commons were down with influenza, I came to the conclusion at once that there was a cause for it, and that that cause was not in the character or means employed in the ventilation of the House, but from foul air supplied from some other means; and my opinion has been confirmed since by reading in some paper or other that in the prisons, where good ventilation has been given, the prisoners have been perfectly free from this influenza.

756. You wrote to us on the 2nd of July a letter in which you say you desire to give evidence to the Committee to show how the air of a building is polluted by the sewage of a district?—That will be the nature of my evidence.

757. I do not go into the question you have raised as to influenza being caused by foul air; you are of course aware that there are other theories to account for it?—I am quite aware of that.

758. Will you proceed to give us the evidence that you desire to give?—I have here a map (*producing it*) which shows the main sewers of the county council and the other sewers of the district board, and they all converge to one point here (*pointing to the map*).

759. When you say they all converge to one point you are referring to the sewer which comes from Victoria-street, the sewer which comes from Tothill-street, and the sewer which comes from Great George-street; you say they all converge at Westminster Bridge?—Yes, outside New Palace Yard. Then I have prepared two sections of the main sewer (*producing the same*) showing how sewer gas is thrown off when there is a rain-fall. The lower section shows the ordinary level of the sewage flow. The top section shows the level to which the sewage rises

Chairman—continued.

when a storm comes; the sewer is then very nearly filled and the sewer gas is driven off through the street gratings. This is the ordinary level of the flow of the sewage (*pointing to the bottom section*). The weight of air in that sewer is very often 16 or 17 grains per cubic foot heavier than the air in the street; therefore the lighter weight has no power over the heavier. The weight of the atmosphere on this (*pointing to the section*) has no power to ventilate this at all.

Dr. *Farquharson.*

760. The gas inside will not come out into the air?—It will not come out into the air except by pressure of the water; when it rises to this level (*pointing to the section*) the gases are driven out at this point, and will find their way across Old Palace-yard; I have got here the temperatures and the rainfall throughout several months.

761. What is that taken from?—From Steward's record of the temperature and rainfall daily in the Strand.

762. What has that got to do with the temperature in the sewer in Westminster?—The experiments I have carried out for many years show that there is not a difference of more than 4 degrees temperature in the sewers during the whole of the year.

763. What opportunities have you had of making these experiments in the sewers?—I have been working on a large sewer at Charing Cross for eight months now, and I have taken the temperature daily; that confirms me in the results I give. I have taken the temperatures at Frome, and Mr. Lowe, of Hampstead, has had them taken, and he has proved the same.

764. You assume that if the sewer at Westminster is under the same conditions as regards temperature as those at Charing Cross and Hampstead the result will be as you say?—Yes; all sewers are warmer in winter than in summer, and the air is lighter on account of being warmer. We find no difficulty with sewer gas in winter because the atmosphere on the surface being heavier per cubic foot drops down and sweetens the air in the sewer. On the 1st of June last year the weight of the air on the surface was 13·2 grains less in weight than that in the sewer; on the 6th it was 10 grains; on the 16th it was 15 grains; on the 21st it was 12 grains; and on the 24th it was 19 grains. Between the 19th of May and the 29th we had no rain-fall at all, so that this volume of air remained over the sewage in the sewer, stagnant. According to Dr. Letheby (and his results are pretty correct), from each gallon of sewage there bubbles up from the sewage itself 1¼ cubic inches of gas per hour; this collects in this space gradually, and remains.

765. That

Dr. *Farquharson*—continued.

765. That is sewer gas?—That is sewer gas proper. Then when we have a rainfall this sewer fills and drives the gas that had been in the sewer for 14 or 16 or 20 days to one particular grating or two, because the storm water coming at the other end, the rush of water drives the whole of this sewer gas to one or two particular points, and the sewer gas being heavier than the atmosphere it glides along the ground and is sucked into the House and mixes with the atmosphere of the House.

Sir *Guyer Hunter.*

766. Are not the Houses of Parliament protected against that?—Without looking at the plans of the Houses of Parliament I could not answer that question.

767. In order to avoid this escape of sewer gas from the sewers into the Houses, there are proper traps provided, are there not?—So I understand.

768. It is only when a sudden storm comes and the trap is siphoned or rendered useless that this air can get into the Houses?—Very often it occurs in this way: the main sewer fills full, and joining the main sewer is the branch sewer, and from the branch sewer there is what we call an intercepting trap; the intercepting trap would keep the gas out of the House, but the gullies (you have some round this House) being connected with the sewer would be affected in this way: the main sewer being filled, the branch drain here fills also with water, and the branch drain going into the main sewer drives the gas out of the trap or gully. That is not so bad as when the rainfall is over; then the sewage lowers in the sewer and the water acting as the plunger of a pump it draws the water out of the trap, and until you have another rainfall you have a current of sewer gas into your House.

Chairman.

769. Into the Houses of Parliament?—Yes, if all your traps are not cut off from branch sewers.

Dr. *Farquharson.*

770. Have you studied the system of Shone's ejectors by which we are cut off from the main sewers?—I have not looked at the plans.

Chairman.

771. You say that the gases under the circumstances you mention escape through the ventilators of the sewers, and creep along the ground from those sewers according to the direction of the wind, and in that way are sucked into the ventilators of the House?—That is my belief.

772. Have you any remedy to propose for such a state of things?—I have been for the last eight months treating sewer gas in the main sewer along the Embankment; that is under the control of the county council. Mr. Dibden was the first to begin experiments to prevent sewer gas being given off from sewage. When we found difficulties in dealing with sewer gas we thought the best plan would be to prevent sewer gas being made at all.

773. What system did you adopt for that purpose?—The system that Mr. Wheeler was speaking of. He saw it at Charing Cross on the London county council main sewer at the Thames Embankment. We have an apparatus standing on the man-hole, by which manganate of soda is brought into contact with sulphuric acid; as both meet they throw off a certain portion of oxygen. To get over the difficulty of the weight of the atmosphere we have a freezing battery below, and that reduces the temperature, and fresh air goes by its own weight into the sewer, and carries with it the oxygen. That has been at work in a very large sewer of 800 yards, with three openings; it contains 380,000 gallons of sewage, and has 61,000 cubic feet of air space above.

Chairman—continued.

774. Is this system of disinfection that you speak of very expensive?—No, it costs about 10 *l.* per 1,000 inhabitants if the whole sewers are treated.

775. Assuming, for the purpose of argument, that your apprehensions are well founded as to the possibility of this vapour being emitted from the sewers in the neighbourhood of the Houses of Parliament, and its creeping along the ground, and being sucked in as you suggest by the process of ventilation which we use in this House, about what cost it would entail to carry out such a system of disinfection in the neighbourhood of Westminster, so as to avert the evil of which you speak of, the gases creeping up to the House, and being drawn up by the ventilators?—I should think at the outside the expense would be 2,000 *l.*

776. That is for the plant?—Yes.

777. What would be the cost per year?—Unless I knew the number of inhabitants on the area which you would take I could not tell you; say you took in 10,000 inhabitants it would cost you 100 *l.* a year.

778. When you say 10,000 inhabitants do you mean if you had to deal with the sewage of 10,000 inhabitants?—I mean if we had to deal with the sewage on a area where 10,000 people resided, because it is the amount of fresh sewage given off in that district that the chemicals would have to work on. On the Embankment we have dealt with the sewage in such a manner that it gave off no sewer gas at all.

779. Do you think from your experience in the sewer on the Embankment, that could be done in the neighbourhood of the Houses of Parliament at a moderate expense?—I do.

780. You said just now that the cost of the plant would be 2,000 *l.*?—Yes, that would be the capital expenditure. I do not like to bind myself to a figure, but I think it would be about 2,000 *l.* If you treated the main sewers on the radius shown on this map, in that way you could bring in any chemist and he would fail to find the slightest trace of sewer gas.

781. This 2,000 *l.* is the capital expenditure for the purpose of setting up the plant?—Yes the 2,000 *l.* is the expenditure for putting up the plant.

782. What would it cost per year to carry on the system including the cost of chemicals and the wages of workmen?—I should think 500 *l.* to 800 *l.* a year.

783. What area would you propose to take in for the purpose of carrying out your experiment successfully?—Five hundred yards would be the diameter of the circle I would propose to take in. The sewer gas would be cut off here and here and here (*pointing out the points on the map*).

Chairman—continued.

784. The sewer gas you say would be disinfected when it came there?—The gas itself would be cut off by the floating trap or apparatus.

785. That is a different thing from treating it with chemicals?—To make the system thoroughly successful, I should cut off these sewers in this area of 500 yards by floating traps.

Dr. *Farquharson.*

786. Suppose you were satisfied, as we are, that the drainage of this House, by means of Shone's ejectors, is entirely cut off from all communication with the main drain outside, the expenditure that would be involved in carrying out what you have been describing would be unnecessary?—Yes, if you prevented the sewer gas from coming through gullies.

787. You cannot expect us to spend money in purifying other people's sewers. You have been describing a system that would have application to this House if our drainage was still in connection with the outside drainage——? May I ask if the communication between this side and the surface grating on the opposite side is cut off?

788. Yes, entirely cut off by a chamber between the two?—Taking it for granted that your system is perfect, you get sewer gas from the gratings near the Old Palace Yard, which floats along the ground. If there are smells in the House, there must be a cause for them.

789-90. I do not think there is much complaint of smells in the House; complaints have been made of smells on theTerrace; have you any theory to account for the smells observed on the Terrace?—They would be only from the surface gratings, the trap of which would be syphoned at rainfall.

791. Would you consider that the furnace at the base of the Clock Tower might possibly be a means of sucking sewer gas from outside?—No, it would not do it; it would not ventilate your sewers. I have carried on experiments by means of a fan, and I could draw sewer gas for miles, till one day a rainfall came, and then the rush of air syphoned the trap near the shaft, leaving the other stagnant.

792. Supposing we had a ventilating pipe carried up the Clock Tower, as soon as the flood fell the ventilator would come into operation?—Would it be worth the expense of carrying a shaft to the top of the House of Commons simply to ventilate say 150 yards of sewer.

793. Why do you say only 150 yards of sewer, because the witness who preceded you tells us it would have the effect of drawing a current down the whole of the sewer that passes the Houses of Parliament?—That is not consistent with my experience. I think Mr. Dibden would bear me out in saying that if the sewer gases were deodorized and your House examined to prove that there was no communication with the other sewers you would never have any complaint in the House of Commons of smells or stale or foul atmosphere.

Chairman.

794. We have no complaints as regards the sewage of the Houses of Parliament at all; the question is how far there may be odours or injurious gases introduced into the House of Commons, not from its own sewers with which we are perfectly satisfied, but from sewers outside the building altogether?—We have 30,000 cubic feet of sewer gas given off at certain intervals from these sewers during stormy weather.

795. Where?—At points near the Houses of Parliament; at one or two or more gratings.

Dr. *Farquharson.*

796. From the county council sewers?—From the county council sewers, and from the Westminster District Board of Works sewers.

Sir *Guyer Hunter.*

797. With reference to the remarks you made at the commencement of your evidence with regard to influenza, do you believe there is any connection between influenza and sewer gas?—Certainly.

798. In what respect?—It lowers the standard of purity in the air that persons breathe, and they cannot withstand the germ.

799. In the first place this sewer gas you say lowers the vitality?—Yes.

800. Does influenza in your opinion result because the vitality is lowered?—I think so.

801. I thought influenza was a specific disease?—An infectious disease.

802. A specific disease?—I believe it is.

803. There must be something plus sewer gas to give a person influenza?—Certainly.

804. The connection in your mind between influenza and sewer gas is simply this, that sewer gas by being inhaled lowers the vitality and may predispose a person to catch influenza?—Yes.

805. You stated also that a number of Members of Parliament had suffered from influenza; have you had any evidence to show that the number of Members of Parliament attacked in proportion to the number of Members in the House was greater than the proportion in the surrounding population?—Yes, from the daily papers.

806. That is all the knowledge you have about it; that is to say what the daily papers stated?—Yes.

807. In the next place you are aware that influenza is a specific disease?—Yes.

808. And is believed to be diffused by the air as an infection?—Yes, that is the general idea.

Dr. *Farquharson.*

809. Your idea is that if a person came in contact with sewer gas it would have a tendency to make the system more receptive of disease?—Yes.

810. As regards the influenza from which one or two members of the House of Commons suffered, the theory was that it was originally introduced from Sheffield where it had been raging very much; that it was brought by some Sheffield people to a certain Committee and that it spread among the members of the Committee owing to the room being badly ventilated?—If we go into theories like that we shall be at sea; if you catch a fever there must be a cause for it.

811. With reference to what you said about prisons,

Dr. *Farquharson*—continued.

prisons, do not you think that the immunity from influenza among prisoners, may be explained by the fact that they are shut up from all communication with the outside world, and that the influenza is not so likely to be brought to them as to people like ourselves mixing with the outside world?—No, because they mix with the outside world to a certain extent. Look at the public works; there are 800 men marching out passing other men.

Chairman.

812. What you say with regard to influenza amounts to this: having seen the account in the

Chairman—continued.

papers that influenza attacked a good many Members of the House of Commons, all of whom I believe had met together in a particular Committee-room, where the Manchester, Sheffield, and Lincolnshire Bill was being considered, you hang on to that circumstance that your theory that it was really the result of gases which at that particular time were extruded from the sewers in the neighbourhood; that is to say that the inhalation of those gases made those Members especially liable to an attack of influenza; is not that rather a wild theory?—I think not.

Monday, 20th July 1891.

MEMBERS PRESENT:

Dr. Farquharson.
Sir Guyer Hunter.
Mr. Plunket.
Mr. Richard Power.
Sir Henry Roscoe.

THE RIGHT HONOURABLE DAVID PLUNKET, IN THE CHAIR.

Mr. JOSEPH LUNT, B.Sc., called in; and Examined.

Sir *Henry Roscoe.*

813. You have made several analyses, both chemical and bacteriological, of the air of two of the Committee-rooms?—I have.

814. Which were the rooms you selected?—No. 10, the Grand Committee Room, the room in which the Joint Committee on Railway Rates was sitting, and No. 17, the room in which the Committee on Railway Servants (Hours of Labour) was sitting.

815. On what days did you make your examination of the air of those two rooms?—On Wednesday the 8th instant and Thursday the 9th.

816. You chose those rooms because there were the largest number of persons in those rooms at the time?—Yes; I was so informed by Mr. Simeon, the Committee Clerk.

Sir *Henry Roscoe*—continued.

817. Will you describe the condition of things as regards the windows and other means of ventilation at the time you commenced your examination?—In both cases the usual means of ventilation were left undisturbed; and as the weather was warm, the windows in Room No. 10 were allowed to remain wide open, except at the Committee end of the room, where they were closed. The windows in Room 17 were almost closed during the whole of the sitting.

818. Will you hand in a Table giving the numerical results of your analyses?—

[*The Witness handed in the following Table:*—]

TABLE showing the Results of the Examination of Two Committee Rooms as regards the Quality of the Air both before and during a Sitting.

Room	10.	10.	10.	17.	17.
Date		8th July 1891.		9th July 1891.	
Time of taking samples	11 to 11.30 a.m.	2 to 2.30 p.m.	3.45 p.m.	11.45 a.m.	2.45 p.m.
Hours after commencement of sitting	Before.	3 hours.	4¼ hours.	Before.	3 hours.
Temperature, dry bulb °s F.	66°	71°	72°	65·5°	68·5°
„ wet bulb	58·5°	62°	63·5°	58·5°	61·5°
„ outside air	61°	65°	63°	63°	65°
„ outdoor °s F.	62°	65·5°	63° *	63°	64
Degree of humidity (100 = saturated)	62	57	59	63·5	64
Moisture (grains per cubic foot of air)	4·35	4·7	5·15	4·4	4·9
Carbonic acid (parts per 10,000 air)	4·80	7·67	8·78	4·6	6·8
Bacteria (per 10 litres)	·17	116	120	22	48
Moulds (per 10 litres)	8	24	24	13	12
Ratio, bacteria, to 1 mould	2·12	4·83	5·00	1·70	4·00
Total organisms (per 10 litres)	25	140	144	35	60
Capacity of room (cubic feet)		32,880		20,020	
Persons present	3	90 to 100	100 to 110	3	40
Cubic feet of space per person		299 to 328		500	

* The fall in outdoor temperature at this hour is due to rain.

819. Taking Room No. 10 first, the table gives the results of analyses from samples taken at three periods, the first samples being taken before 11.30, when the Committee assembled; the second being taken between 2 and 2.30, three hours after the commencement of the sitting, and the third about 4¼ hours after the commencement of the sitting?—Yes.

820. The temperature appears to have risen from 66° to 72°?—Yes, the temperature of the room before the Committee entered was 66°, and rose to 71° three hours after the commencement of the sitting, and to 72°, 4¼ hours after the commencement of the sitting; that was the temperature by the dry bulb; the wet bulb read in the three cases, 58·5°, 62°, and 63·5°. The degree of humidity in the three cases was 62, 57, and 59, and the moisture was thus shown to have risen from 4·35 grains per cubic foot of air to 5·15 grains.

821. With regard to carbonic acid that gives us the measure of impurity of air as far as respiration is concerned?—That is so.

822. What did you find to be the amount of carbonic acid in 10,000 parts of air at the beginning?—4·80 previously to the room being occupied.

823. That would be what we may call the normal amount present in the air without any products of respiration?—Yes.

824. The next determination gave you 7·67?—Yes.

825. And the third 8·78?—Yes.

826. So

Sir *Henry Roscoe*—continued.

826. So that the amount of carbonic acid had nearly doubled?—Yes.

827. Even when the windows were open?—Even when the windows were open.

828. If the windows had been closed the amount of carbonic acid would have been larger?—Probably.

829. The next determination you made was with the object of ascertaining the number of microbes present in a given volume of air, as another test of the impurity of the air?—Yes.

830. You determined the number of those microbes in a certain given volume of air?—In 10 litres of air.

831. What was the number of bacteria you found in 10 litres of air before the entrance of the Committee or the public?—Bacteria, 17 per 10 litres, and moulds, eight per 10 litres, making a total of 25.

832. What number did you find after three hours?—After three hours, bacteria, 116, and moulds, 24, making a total of 140.

833. What number did you find after 4¼ hours?—Bacteria, 120, and moulds, 24, making a total of 144.

834. So that the increase in the number of bacteria was from 17, when the room was empty, to 120, when the room was full of people, and the increase of moulds from eight to 24 under the same circumstances?—Yes.

835. What was the number of persons in the room three hours after the commencement of the sitting?—Between 90 and 100.

836. And how many were present 4¼ hours after?—One hundred to 110.

837. What was the capacity of the room?—32,880 cubic feet according to Mr. Prim's measurements.

838. Giving how much per head?—Two hundred and ninety-nine to 328 cubic feet per head.

839. On an average, 300 cubic feet per head?—Yes.

840. What is your conclusion from those figures?—Those figures show that the room became rather uncomfortably warm during, and especially towards the end of the sitting. The carbonic acid estimation especially shows that the vitiation of the air had, after three hours sitting, overstepped the limit which ought to be observed in a well-ventilated room; and after 4¼ hours the vitiation was still higher, and the room certainly felt rather close. It must be remarked that the samples were taken on the top bench, on the side of the room away from the windows, and near the centre of the room, thus avoiding the fresh air coming in through the windows, and that also coming in through the perforated floor running down the centre of the room. Although the vitiation of the air of this room was greater than should be allowed, yet its condition was far better than would be found in many places of public amusement, where the vitiation of the air often rises very far above the limit.

841. Are you able to compare the results you arrived at with those arrived at in examinations of the air of mechanically ventilated school rooms?—Yes; compared with mechanically ventilated school rooms, which may be taken as being the most perfectly ventilated school rooms, the results are very favourable to the Committee Room. The late Professor Carnelley has recorded carbonic acid in such school rooms varying in 20 cases from 7·0 to 19·6 parts per 10,000, with a mean for all the cases of 12·3 parts.

Sir *Henry Roscoe*—continued.

842. Whereas the maximum you found in round numbers was nine?—Yes, the highest in the Committee Room was 8·78, so the figures show results in favour of the Committee Room.

843. These experiments do not of course decide what would be the condition of the air when all the windows were required to be closed?—No, they do not.

844. Of course it stands to reason that in winter when all the windows would have to be closed, there would be a worse state of things, supposing the same number of people to be in the room?—Yes, I should think that would probably be the case.

845. From your experiments, do you think it would be advisable to increase the area of inlet for fresh air?—Yes, I think certainly the area of inlet to the rooms themselves should be increased. The present area of inlet of fresh air, even when the windows are open, is insufficient to keep the room thoroughly ventilated during three hours sitting.

846. You also made a determination of the amount of carbonic acid and the number of microbes in the air in Room No. 17?—Yes.

847. What did you find the results to be?—With regard to this room there is no complaint to make so far as I found it on the day of my visit. The temperature after three hours sitting had reached 68½ Fahrenheit, compared with 72 in the other case, and the carbonic acid reached 6·8 parts per 10,000 of air compared with 8·78 in the other case.

Chairman.

848. Were those two rooms crowded on the two occasions you were there?—No. 10 was much more crowded than No. 17; the cubic space per person is given in the table. In No. 10 the cubic space per person was about 300 cubic feet; in Room No. 17 it was 500 cubic feet, so No. 17 was much less crowded than No. 10.

Sir *Henry Roscoe.*

849. How many people were there in Room No. 10?—One-hundred to 110.

850. And in No. 17?—There were 40 people present in Room No. 17 towards the end of the sitting of the Committee; the room is small compared with No. 10.

Chairman.

851. When you were taking your samples in Room No. 10, did the room appear to be full of people?—Yes, full, but not what you might call very crowded.

Mr. *Power.*

852. Were all the windows open?—All the windows except the window near the Committee.

Sir *Henry Roscoe.*

853. The temperature of Room No. 17 three hours after the commencement of the sitting you say reached 68½ degrees?—Yes.

Sir *Henry Roscoe*—continued.

854. And the amount of carbonic acid in 10,000 parts of air was 6·8?—Yes, as compared with 4·6 when the room was empty.

855. And as compared with 8·78 in the other room?—Yes.

856. What was the total number of organisms that you found in the air?—The total number was 60 as compared with 144 in Room No. 10, so there were less than half.

857. If the windows had been closed in this room the ventilation would have been less satisfactory probably?—In this room the windows were almost closed.

858. On the whole, Room No. 17 was better ventilated than the larger room?—Yes, very much better.

859. With regard to cutting off draught have you any remarks to make with regard to cutting off the "pull" from the rooms which are not in use?—If it were possible to cut off the "pull" from the rooms which are not in use, and thus increase the flow of pure air through the crowded rooms, the present system of Committee Rooms ventilation would probably be very much improved; and also I think that the requirements of each room according as it is crowded, or otherwise, might be met by having the air supply completely under control, so that if one room was unduly crowded it would be possible to put on a larger supply of air for that room, and perhaps diminish the supply for those which were not so crowded.

Chairman.

860. I understand that you took these analyses in the part of the room which was the worst in your estimation?—Yes, as far away from the fresh air as possible.

861. And even taking your analyses in that part of the room in each case you found the rooms in a considerably better state as regards the ventilation than what is considered the normal condition of mechanically ventilated schools?—Yes, that is so.

862. I suppose during the period when the the rooms generally are in use and when many of them are pretty crowded you would be in favour of an increased supply of fresh air for the purpose of ventilating the rooms?—Yes, certainly.

863. But otherwise you have nothing to find fault with in the system of ventilation?—Not as regards the system. I think if the system was made more efficient by increasing the area of the inlet, to let a larger quantity of air through probably there would be better results.

864. The only alteration you would point to as one that there is a necessity for, is the giving a greater area of inlet of fresh air?—Yes, that is so, assuming the "pull" to be sufficient.

865. If I understand you rightly the result of your examination of these rooms is that the bacteria and moulds are in fact fewer in number than they are in the school rooms you have referred to?—Yes, very much fewer.

866. If we had this additional inflow of air the number of these savage animals would be still further reduced probably?—Yes.

Sir *Henry Roscoe.*] It may perhaps be convenient that I should now hand in, for the information of the Committee, the results of some experiments I have made, which seem to me to be of an interesting character, with regard to the possibility of freeing the air-supply of the Debating Chamber of the House of Commons not only from particles of dust and fog as has been accomplished, but also from the floating germs which are constantly present in smaller or larger quantities in the air. It is well known that these germs, generally attached to particles of dust, are unable to pass through a dry and firm plug of cotton-wool, the fibres of which filter out the most minute particles exactly as a water-filter filters out the suspended particles in water. This, however, has only been done on a small scale, and it seemed a matter of interest to ascertain with what degree of efficiency this filtration of air could be effected on a large scale. This became of special importance owing to the recent outbreak of influenza amongst the members of the House, for although the special germ of this disease has yet to be detected there is no doubt that influenza belongs to the class of infectious diseases, and there is little doubt that it has a microbic origin. The system of air filtration adopted by Mr. Prim for supplying the Debating Chamber has already been sufficiently described in the evidence. The object of the experiments which I made was to determine how far that system could be relied upon to remove the floating germs of the air in case of an epidemic of an infectious disease. I have here the details of the experiments which I will hand in. (*Sir Henry Roscoe handed in the following statement:*—)

The first series of experiments were of a preliminary character, the air being examined by ascertaining the number of germs falling on a given space in a given time. For this purpose flat-covered glass dishes containing a film of sterilised nutrient gelatine were uncovered for a given time at the various points at which it was desired to examine the air. The invisible germs fall on and are retained by the moist film of gelatine, and finding a material suitable for their growth develop with rapidity, so that after an incubation of several days colonies of various sizes appear in the position where the invisible germ fell.

Aerial germs consist of two kinds, known as moulds and bacteria, and it is easy by mere inspection to distinguish the colonies one from the other.

The first experiments were made on Thursday, 26th February. The day was foggy in the morning, but the fog disappeared at Westminister at the time the experiments were made. The ventilating fan was running, and the air had been filtered for half-an-hour before the experiments began; during the exposure of the plates the fan was stopped. The air was examined (1) on the Terrace, the source of supply; (2) in the filter chamber before filtration, and (3) in the vault above the filters after filtration as the air was passing into the House.

The

The following numbers show the results.

Experiment 1.—Thursday, 26 February 1891.

——	Terrace.	Before Filter.		After Filter.	
Duration of exposure	20 min.	20 min.	20 min.	20 min.	20 min.
		a.	b.	a.	b.
Number of Bacteria.	22	9	12	6	8
Number of Moulds	25	15	20	4	2
Total Number of Germs.	47	24	32	10	10

These experiments show, first, that there was a larger number of germs in the air of the Terrace than in the air of the chamber before filtration, due, doubtless, to the presence of a larger quantity of dust on the Terrace. Secondly, it shows that after filtration the number of germs had greatly diminished.

Experiment 2.—Thursday, 26 February 1891.

For these experiments the fan was running a further three-quarters-of-an-hour, and then stopped for the exposures.

——	Terrace.	Before Filter.	After Filter.
Duration of exposure - - -	20 min.	20 min.	20 min.
Number of Bacteria - - -	31	4	1
Number of Moulds - - -	16	5	0
Total Number of Germs - -	47	9	1

Experiment 3.—Tuesday, 26 May 1891.

——	Terrace.		Before Filter.		After Filter.
Duration of exposure.	20 min.		20 min.		20 min.
	a.	b.	a.	b.	
Number of Bacteria.	77	62	30	16	7
Number of Moulds	44	40	17	20	2
Total Number of Germs.	121	102	37	36	9

Experiment 4.—Thursday, 28 May 1891.

——	Terrace.		Before Filter.		After Filter.
Duration of exposure.	20 min.		20 min.		20 min.
	a.	b.	a.	b.	
Number of Bacteria.	67	65	67	62	4
Number of Moulds	18	9	10	7	2
Total Number of Germs.	85	74	77	69	6

These experiments having shown conclusively that the air after filtration is of much greater microbic purity than either the air of the Terrace or the air in the filter chamber before filtration, the next step was to ascertain the actual number of germs floating in a given volume of air; for this purpose a measured volume of the air is drawn by means of an air-pump through a sterilised plug of glass wool upon which the germs are deposited; this plug is afterwards so treated that each single germ forms a visible colony, and then the number of these can be easily counted.

Experiment 5.—14 May 1891.

——	Number of Germs in 10 Litres of Air.	
	Before Filtering (Terrace).	After Filtering.
	Mean of Two Experiments.	Mean of Two Experiments.
Number of Bacteria - -	21	1
Number of Moulds - -	[illegible]	2
Total Number of Germs -	29	3

Experiment 6.—15 May 1891.

——	Number of Germs in 10 Litres of Air.	
	Before Filtering (Terrace).	After Filtering.
	Means of Two Experiments.	Means of Two Experiments.
Number of Bacteria - -	30	0
Number of Moulds - -	7	0
Total Number of Germs -	37	0

From these it is seen again very strikingly that a large reduction of the number of germs takes place in the air after filtration.

The third and most satisfactory method is that known as Hesse's method. In this the measured volume of air is drawn through a long tube coated internally with sterilised gelatine. During the slow aspiration of the air the germs are deposited on the gelatine, and each germ thus deposited gives rise to a separate colony.

Experiment 7.—25 June 1891.

—	Numbers of Litres of Air.	
	Terrace.	After Filtration.
Number of Bacteria - -	9·7	0·2
Number of Moulds - -	15·13	1·2
Total Number of Germs -	24·20	1·4

Experiment 8.—29 June 1891.

	Numbers of Litres of Air.	
	Terrace.	After Filtration.
Number of Bacteria - -	20·10	5·3
Number of Moulds - -	18·17	1·1
Total Number of Germs -	38·27	6·4

These experiments go to show that the effect of this filtering of the air is to reduce the number of these floating germs down to almost nothing; that is to say, to free the air almost completely from these germs; so it appears that the air supplied to the Debating Chamber can be freed from the floating germs as we know it can be

be freed from the small particles which cause fog. I think the matter of sufficient interest to place the numbers on record. With regard to the effect of the filtration of the air upon the atmosphere within the chamber, in the way of reducing the number of floating germs, this has yet to be ascertained, and perhaps it might be worth while to continue these experiments from that point of view, to see what is the actual amount of germs contained in the air of the House of Commons. What I have done has been to determine the number of these germs in the air of the Terrace after filtration and before filtration, but not when it reaches the Debating Chamber.

Mr. Robert Harris Reeves, re-called; and further Examined.

Chairman.

867. I understand you wish to add something to the evidence you gave us the other day?—Yes; I gave you as the quantity of sewer gas given off from the Westminster district 30,000 cubic feet. I have gone through the plans and details of the Westminster sewers with Mr. Wheeler, and I find it is three times that quantity. I have had a model made of the main sewer, that is the county council sewer, and the Westminster sewer, and the gratings, so that you can see that though the Westminster sewers form receptacles for sewer gas it is the main sewer of the county council that has caused the nuisance; when that fills with water it drives the gas into the branch sewer and out of the gully traps at the side which I believe causes the nuisance. When the water is forced out of the trap the sewer gas comes in at your doorways, and I think you have some gully drains that are not thoroughly cut off, by the lamp post opposite Palace Yard.

868. That is quite disconnected from the main drainage of this House?—Yes; but that is where you get your foul air from. Then I was asked to give an estimate of the cost of treating the sewage in the sewers within a certain area so as to prevent the formation of sewer gas by my system, and I have prepared an estimate of what I am prepared to do that district for, guaranteeing its efficiency. That estimate is as

Chairman—continued.

follows: "Estimate for alterations to the county council and Westminister main sewers as shown in tracing No. 1 for Reeves' chemical treatment for preventing the formation of sewer gas; 14 large man-holes as per Section 1; 19 small three-feet man-holes with apparatus as per Section No. 2. Total cost of work and plant, 2,500 *l.* Yearly cost of chemicals and labour, 650 *l.*"

Sir *Guyer Hunter.*

869. At Question 767 you were asked, "In order to avoid this escape of sewer gas from the sewers into houses there are proper traps provided, are there not," and your answer is, "So I understand." When I used the word "houses" I was generalising, but were you speaking of the Houses of Parliament in your answer?—What I was thinking of then was the gully-traps.

870. Were you speaking of the Houses of Parliament in particular, or of houses generally?—It would apply to both; traps are provided in both cases; I was speaking of houses generally.

871. Then I ask you at Question 768, "It is only when a sudden storm comes and the trap is injured or destroyed that then gases can get into the houses?" In your answer to that question were you speaking of ordinary houses?—I was speaking both of the Houses of Parliament and ordinary houses in that answer.

Mr. John Taylor, re-called; and further Examined.

Chairman.

872. You have had an opportunity of making yourself acquainted with the evidence which has been given up to the present time before this Committee?—I have.

873. We shall be obliged to you if you will give us the result of your consideration of that evidence on one or two points. In the first place, as to Mr. Prim's suggestion for improving the ventilation of the tea room and reading room, what do you say about that?—Mr. Prim was doubtful whether, from the construction of the room, his proposal could be carried out. I have examined the room since and I am of opinion that it can be carried out.

874–5. As to the present water-closets and urinals in the Library corridor, have you any advice to give us?—I have gone rather closely into that matter since I was examined before the Committee, and in my opinion it would be practicable to construct a system of water-closets and urinals in the present Library Stationery room at the southern end of the Library corridor, and I think the entrance to that system might be so arranged as to almost entirely obviate any nuisance from smells, arising from those water-closets and urinals, in the corridor itself. I could explain that better by showing you a plan. (*The Witness explained his proposal on a plan.*)

Chairman—continued.

876. Your scheme seems to amount to this, that you would establish a system of water-closets and urinals in what is now the Stationery-room, which you would be able to approach through two or three swing doors so as to prevent any unpleasant consequences arising from water-closets in the corridor?—Yes.

877. Then you would find stowage for the stationery which is now placed in the Stationery-room in what are at present the water-closets, but which would then become rooms properly fitted for the purpose, in that corridor?—Yes.

878. And you consider that the Stationery-room is particularly well adapted for keeping up a fresh current of air in that system of water-closets?—Yes, I do.

879. With regard to the Debating Chamber do you consider that the area of floor inlet requires to be increased so as to reduce the current at given points?—From time to time certain portions

Chairman—continued.

tions of the open gratings in the House of Commons have been closed and carpets and mattings have been laid over the portions so closed.

880. Do you know why that has been done?—I think probably from complaints of certain Members who were in the House.

881. Who complained of draught?—Yes, but there was no more draught where they sat than in any other portion of the House. Still, the closing of the portions of the area of inlet where those Members were sitting has increased the draught elsewhere. What draught there was would certainly be increased in other parts of the House by reducing the area of inlet.

Sir *Henry Roscoe.*

882. What area has been covered up?—I have not got the figures.

883. A considerable amount?—Yes, a considerable amount in some places.

Chairman.

884. Do you think much could be done in the way of reducing draughts which really exist by removing those coverings which have been placed to prevent imaginary draughts?—I think the air-proof coverings should certainly be all removed, and the flooring, where perforated, except, perhaps, in very special cases, left free as inlet, because it would certainly reduce the general current over the whole surface if the area of inlet were enlarged.

885. As to the suggestion which has been made about taking air from the top of the Victoria Tower and the Clock Tower, what have you to say about that?—I am not quite certain whether, in the questions which were put upon that point, it was contemplated that the whole of the air for the building should be taken from those heights, but my impression is that there would not be nearly a sufficient area of inlet to supply the whole building, even if all the shafts we have got, both in the Victoria Tower and in the Clock Tower, were in use for that purpose. In any case it would only, it appears to me, be practicable to supply air to the two Debating Chambers themselves from that source.

Sir *Henry Roscoe.*

886. But that would give a sufficient supply for the Debating Chambers?—There would be a sufficient supply from the two towers for the two chambers.

887. For the House of Commons alone, could you get a sufficient area of inlet from one of the towers?—For the House of Commons alone, I think, sufficient area of intake could probably be obtained from the Clock Tower.

Chairman.

888. Would there be much structural difficulty and consequent expense in carrying out such a system?—It would not be a very large expense if it were confined to the Debating Chambers themselves, but it would be a considerable expense if the attempt were made to obtain sufficient air from those higher levels for the whole building.

Chairman—continued.

889. For the two Debating Chambers, would it run to hundreds or thousands of pounds?—It would probably cost about 1,000 *l.* to apply the system to the Debating Chambers. That is only an approximate estimate.

890. And for the House of Commons alone?—For the House of Commons alone the cost would probably be not more than one-half.

Sir *Henry Roscoe.*

891. For something like 500 *l.* at any rate the experiment might be tried of getting the air from a height?—Yes. We should of course have to arrange for changing the outlet, the outlet being at present by what would then become the inlet, the Victoria Tower. We should have to get rid of the foul air by the Central Tower.

892. You would bring the fresh air down the Victoria Tower instead of taking the foul air up?—Yes.

893. And the foul air which now goes up the Victoria Tower would go up the Smoke Tower?—Yes, that would be the only means of getting rid of it; we should have to increase the furnace-power there.

Chairman.

894. Would that be an equally effectual means of getting rid of the foul air, do you think?—I think so, with the application of the power necessary for drawing the air down the shaft.

Sir *Henry Roscoe.*

895. There would be a fan needed?—Yes, it would be reversing the ordinary system of ventilation.

896. I see in the Minutes of Evidence of the Committee in 1884, reference is made by Dr. Percy to the fact that an attempt was made in former times to bring the air down from the Central Tower and the dust was generally complained of; that would not be the case if the air were taken from a height 350 feet from the base of the Victoria Tower?—I do not think there would be much dust at that height, assuming everything was kept quite clean at the intake; the intake is not at the extreme apex of the tower; it is a certain way down.

897. I am speaking of the Victoria Tower; supposing air was taken from the Victoria Tower at a height of 350 feet do you think there would be the same risk of dust, and products of combustion coming in with the air as if it were taken from the Central Tower?—Certainly not; it would be above the smoke from adjoining buildings.

Chairman.

898. Have you got any suggestion to make as to the smells which are complained of in connection with the bakery which adjoins the Ministers Rooms in the basement?—I think that the doorway should be built up. I do not think fixing up wood work in it would be sufficient; it ought to be built up with brick work and plaster so as to make the thing quite certain.

899. As to the wash-basins now discharging into the rain water on the terrace, we have had some

Chairman—continued.

evidence about that at Question 365?—Yes, I think it was in Mr. Jones' evidence. He stated that there were two lavatory basins discharging into the rain-water drain. I was not aware of that, and I think it most important that they should not discharge into that drain, because soapy water becomes as great a nuisance as anything after a time. As those two lavatory basins are used by about three persons I am of opinion that they should be abolished and that portable wash stands should be placed in the rooms; we should then have the Terrace rain-water drain carrying rain-water only.

900. Mr. Shone made some remarks at Question 496 as to the ventilation of the branch drains of this House. He was asked by Sir Henry Roscoe, "So that as far as that main drainage is concerned I understand you are perfectly certain that the ventilation is complete, and that no escape of sewer gas comes into the building; would you say so?" and his answer was: "Generally speaking so, your main sewer is not nearly half full, because on the average, when the whole volume of sewage has reached the outlet (that is the ejector), the total volume is not more than perhaps 50 or 60 gallons per minute. During that time the ventilation of the main sewer, as I said before, is perfect, because the power available in the shaft is so great that the atmospheric air drawn in at the apertures on the route of the main sewer cannot resist being drawn into the sewer, and consequently there is perfect ventilation. But then you know connected with the main sewer there are many branches; that is the system which is adopted here, and which is universally adopted in this country. I remember writing to the Office of Works when I was consulted in the first instance drawing attention to that defect, as I may call it. Supposing my hand is the main drain and my finger is a branch at this place (*describing it*), you have got a trap at the sewer end of the chamber which is hermetically sealed. At all these chambers the most improved modern method is adopted; I have seen several of them, and I find they are as perfect as they can be made. But as you asked me the question, I wanted to point out the defect in the system. The atmosphere existing in the branch pipe from the trap to the main sewer is practically always quiescent, practically it is never renewed." What do you say as to that?—I do not at all agree with Mr. Shone as to the air in the branch pipe being always quiescent; it is in motion every time the trap is worked, and in many cases is in almost constant motion. For instance, if a water-closet is discharged through a trap, the air in the short length of small drain which connects the pipe with the main sewer is forced into the main sewer. In order that the Committee may perfectly understand the point which Mr. Shone has raised I produce this plan (*producing a plan and describing it*). If there was any gas being forced from the main sewer through the trap in the man-hole it would be forced into a soil or other pipe which is open at the top and the gas would escape at the top of the building.

Sir *Henry Roscoe.*

901. In fact the closets are all supplied with what is now almost universal, a ventilating pipe, or shaft passing up to the top of the building?—Every one.

Chairman.

902. As to the feasibility of a large quantity of air being passed through cotton-wool into the House, what do you say about that?—Of course a very large quantity of air could be passed through cotton-wool into the House, but I doubt whether we should ever obtain an inlet of sufficient area to supply filtered air in such large quantities as we require to pass through the House if it had to be passed through cotton wool; at any rate if passed through cotton wool it would have to be comparatively thin. I have grave doubts about the large quantity of air which we pass through the House of Commons as a rule being obtainable through cotton wool at any time unless it were a very thin sheet.

Sir *Henry Roscoe.*

903. Have you any evidence as to the quantity of air which practically can be, or has been pumped through cotton wool?—I have no evidence of that. Mr. Prim might perhaps have; I will arrange with Mr. Prim to have that tried.

Dr. *Farquharson.*

904. That was the difficulty which occurred to my mind when Mr. Prim was giving his evidence; that is to say the possibility of getting sufficient air through the cotton wool?—It would require an immense area of intake, so far as I am able to judge, to admit a sufficient quantity of air to supply the whole House through cotton wool.

905. You could only supplement by that means what might be done in some other way?—Yes.

Sir *Henry Roscoe.*

906. In the case of fog you are able to filter the air so as to keep the chamber supplied with pure air?—Yes, certainly; in the case of fog I think it has been a great success. It is just possible that during the early months of spring and during the autumn or winter months a sufficient quantity of air might be passed through cotton wool, but I doubt the possibility of its being passed through it, in anything like warm weather, in sufficient quantity.

Chairman.

907. You could not obtain the requisite amount of fresh air in warm weather if it had to be drawn through cotton wool?—I think not.

908. Since you were last examined I believe there has been an overflow of the drains into the basement; will you tell us about that?—There was a violent storm on the 8th inst., and again yesterday, and on both those occasions the ejectors were not equal to carrying off the storm water so rapidly as it passed into the drains. The result was that on the 8th we had a depth of say two inches of water in some parts of the basement, and yesterday something less than that. It is rather a curious fact that whenever these storms occur which prove too much for the apparatus,

Chairman—continued.

apparatus, and which cause a flooding of the basement, it is always when the Thames is at high water; whenever they occur at low water we are free, because the main sewers then I understand are not perfectly choked up. It therefore seems to me that the idea we all have that the drainage of London is entirely apart from the Thames here in London, and that it is altogether carried away a considerable distance and discharged into the sea, must be an erroneous idea.

909. Otherwise the state of the tide would not affect the question at all?—It could not possibly affect our drains unless there was some communication between the main sewers and the Thames. The flooding takes place only when storms come at high tide; never when they come at low tide; and the conclusion I arrive at from that is that there must be some communication between the main sewers and the Thames.

Sir *Henry Roscoe.*

910. But not between the sewers and Houses of Parliament?—No.

Chairman.

911. As to the proposal to carry a ventilating shaft from the county council sewer up the Clock Tower, what do you say to that; I think it was suggested that we should lend our tower for the purpose, the county council being prepared to make a shaft at their own expense?—I say on no consideration should you connect the building again with the main drainage system of London; you are now entirely free, and I should strongly oppose any proposal to connect again with it, even in respect of the ventilating arrangements of the sewers.

Dr. *Farquharson.*

912. I asked one of the witnesses whether he thought the hot air at the foot of the Clock Tower might draw in sewer gas from the ventilating shaft running up outside of the tower; do you think that possible?—To begin with I scarcely see that it would be practicable to carry up a shaft outside the Clock Tower without disfiguring the structure in such a way that it may be said to be impracticable.

Slr *Henry Roscoe.*

913. Independently of that it would be very objectionable to bring any of these gases from the sewers into the premises of the House?—There would be the very strongest possible objection to it.

Chairman.

914. Although you object to a ventilating pipe being carried up the Clock Tower, do not you think it would improve the drainage of the Westminster district outside, so far as the county council sewer is concerned, if they had some effectual ventilating pipe, because we have heard that there was one established at the Westminster Bridge steps which was afterwards closed up?—My opinion is very distinctly that there should be such a system, but that the shafts should be erected for the purpose, and should be of such a height as to carry the foul air above the ordinary buildings of the district and discharge it at that level, and I should suggest that recourse should be had to the action of a powerful furnace which I take it would be the means of rendering the sewer gas somewhat harmless before it was emitted at all.

Dr. *Farquharson.*

915. You think if a quantity of sewer gas were let loose from the top of the Clock Tower there would be a chance of its getting in through the Tower into the House?—I do not for a moment suppose that it would come down the shafts which are at present exhaust shafts; but there might sometimes be a back draught. Suppose the furnace was not going from any reason there would be probably a back draught in certain conditions of the atmosphere, and sewer gas would then come down the shaft; there are occasions when the current is distinctly downwards in a shaft.

Chairman.

916. As to a smaller question: Have you any suggestion to make about the better ventilation of the serving bar in the Members' Dining Room?—That has been brought under my notice within the last few days, and I have examined it, and I think we can increase the area of the exhaust through the vaulting of the ceiling, and we can also bring down the glass screen to a level of 15 to 18 inches below where it is now. I believe that would effect a very considerable improvement in carrying smells upwards instead of allowing their escape into the dining room.

917. Now I will ask you a question as to the expense of carrying out the various improvements which have been suggested, and which you are in favour of. First, as to obtaining an additional area of intake of air; what do you put the expenses of that at?—I think we should have to provide other accommodation in lieu of that which we expect to get by the removal of documents and journals in the basement, so as to increase the area of intake; I estimate that that would cost about 250 *l.*

Sir *Henry Roscoe.*

918. If it were arranged to take air for the Debating Chamber from the Victoria Tower, would you still propose to utilise these rooms on the Terrace for the purpose of ventilation?—I think it would be well to obtain the whole of them for the purposes of ventilating the Committee Rooms and the other rooms that would be ventilated from that source.

Dr. *Farquharson.*

919. The air being derived from the Terrace?—From the Terrace.

Chairman.

920. Then what would be the cost of enlarging and altering the inlets of fresh air drawn from

Chairman—continued.

from the Terrace for the purpose of ventilating the Committee Rooms?—I have already stated in evidence that I thought it would cost 1,000 *l.* to make the alterations necessary for improving the ventilation of the Committee Rooms as regards intakes and to make certain alterations in regard to the exhaust; and I stated that if the flooring was to be altered, and the air was to be admitted through perforated gratings at the public end of the rooms, it would cost about 1,500 *l.* more. That estimate, I propose, should stand as given in my evidence, 2,500 *l.* It would be for the Committee to say whether they consider the proposal to perforate the floors is one which should remain in this estimate; if the proposal is not made the cost will be 1,500 *l.* less.

Sir *Henry Roscoe.*

921. I understand that the Standing Committee Room has a perforated floor?—Yes, the two Grand Committee Rooms have perforated floors.

922. It is only the small Committee Rooms that have not perforated floors?—Only the small Committee Rooms, but the small Committee Rooms mean 18 out of the 20.

Dr. *Farquharson.*

923. There have been great complaints of the want of ventilation in the Railway Rates Committee Room; that is No. 10?—Yes.

Chairman.

924. Then as to the means to be provided for the admission of air on the east, or wall side of the Reading and Tea Rooms at a higher level than that of the present intake in the skirting?—That is an improvement which I mentioned a few minutes ago; it would cost about 100 *l.*

925. As to the ventilation of the Serving Bar in the principal dining room which you spoke of a few minutes ago, how much would that cost?—That would cost about 25 *l.*

926. And if the existing water-closets and urinals in the Library corridor were abolished and others provided in the present Library Stationery-room at the end of the corridor, a private entrance being formed leading to them, what would be the expense of that?—I estimate the cost of that at about 300 *l.*

927. Then you propose that the existing airways leading from the river front to the House of Commons should be enlarged, that the existing fan should be exchanged for a larger one, and that increased heating surface should be provided with a re-arrangement of doors and flaps beneath the House, and an enlargement of the area of filtering surface, how much would that cost?—I estimate that at 250 *l.* That of course is on the assumption that the air is drawn from the same source as at present, that is to say from the Terrace.

Chairman—continued.

928. Then if in the Debating Chamber the air were admitted through the fret work beneath the Members' Galleries and also above the Reporters' Gallery, and if at the back of the Chair a portion of the pannelling were removed and a portion of the existing opening closed, how much would that cost?—That I estimate at about 200 *l.*

929. Then if at the south end of the Aye Division Lobby a provision were made for the admission of air through the Private Paper Repository underneath, how much would that cost?—I estimate that at 10 *l.*

930. If double windows were provided to the whole of the Committee Rooms now without them, how much would that cost?—£. 1,100.

931. What would be the total?—£. 4,735.

932. £. 4,735 would be the total for the alterations which you suggest should immediately be undertaken?—Yes; that £. 4,735 does not cover the cost of obtaining air from a higher level.

933. Would it be possible to carry out all these improvements before next January or February, if we recommended that they should be carried out, and if our recommendations were adopted by the Government?—I think it would be possible to carry out the greater part of them, if not the whole, by about February.

934. What portions of the work do you think might not be quite finished by that time?—The work which would probably take the longest time would be the double windows.

Sir *Henry Roscoe.*

935. My attention has been called by Sir Edward Watkin to the fact that above the ceiling in the House of Commons there is a quantity of wood work in close proximity to the gas, and that the temperature of this wood, is extremely high. I went up there with Mr Prim a little time ago, and I found that the frame work holding the lamps is made of wood, and on cutting off a little bit of the wood with a penknife it was found that, though not exactly charred, it was eccessively dry; the wood was pine and a quantity of oily matter had oozed out. Mr Prim semed to think there was some risk; do you know anything about that? — Yes; a good many years ago there was a great deal more timber in these roofs than there is now, and everything that could conveniently be got out was taken out, and to the best of my recollection there was a difficulty as regards construction in removing the whole of the timber from the roof of the House of Commons.

936. At the same time if it is a source of danger it should be removed?—I should have to carefully inspect it again, and I will do so. I may say that the whole of the timber there is painted with asbestos paint.

Mr. WILLIAM JACOB PRIM, re-called; and further Examined.

Chairman.

937. YOU have been referring to various Reports of Committees of Parliament on the Ventilation of the Houses, and obtained therefrom information as regards the system which at one time prevailed of taking air from a high level for the purpose of ventilating the Houses; will you give us the result of your investigations?—I have searched through the different Parliamentary Reports, and also the evidence taken from time to time before Committees of both Houses on the Ventilation, particularly that of the two Debating Chambers. I find that in the year 1852 the air was taken at high levels, six in number, for the supply of the entire building, the Victoria and Clock Tower being the chief source. The other sources were the different towers about the buildings, and also St. Stephen's Hall, but they are not definitely specified. It would appear that the principal intake was at the summit of the Victoria Tower, from whence the air descended to the basement through two of the angle turrets, and was then conveyed along the vaults beneath the House of Lords to the large Chamber under the Central Hall, where it was warmed and distributed throughout the building by means of large centrifugal fans. Mr. Gurney, in a Report, dated 13th April 1852, on the Warming, Ventilating, and Lighting of the new House of Commons, says: "I find the system of ventilating the House is of two kinds, one technically called the 'upcast' or furnace system, used for ventilating coal mines; the other that of the 'centrifugal fan system,' in common language, one drawing, and the other forcing the air through the House." From the evidence taken by a Committee of the House of Lords, March 1854 (I jump from 1852 to 1854, not finding anything definite between the two dates), in answer to Question No. 88, Mr. Meeson, the officer in charge of the ventilating and lighting arrangements of that House, stated that "he considered that the air was of a pure character," while Mr. Gurney said, in answer to Question No. 427, "I like the system of bringing in air at a high level, provided it be carried out at a low one," and further, that he would not alter the existing system so far as intake was concerned." Questioned as to whether air from a low level, say level of windows, would not be more pure than top of tower, he answered, "No, I think not; smoke we know mostly goes up." Notwithstanding this approval of the then system of bringing in air from high levels, it appears that within a few weeks after giving his evidence Mr. Gurney completely changed the arrangements for ventilating the House of Commons, as he is reported to have said on 8th May 1854, in answer to Question No. 657: "Two-fifths of the air comes into the House at the floor level, and three-fifths from the ceiling;" and in answer to Question No. 663, Mr. Gurney describes the arrangements for removing the vitiated air by means of a shaft reaching from the floor of the Chamber to the basement, and further adds: "The Clock Tower is now made an upcast, so that the vitiated air is drawn up through the Clock Tower, after being drawn along the vaults and passages and down this shaft, communicating with the centre of the carpet." In answer to Question No. 667, "He said the floor is divided for the purpose of admitting the fresh air and extracting the foul air. Fresh air is not only admitted through parts of the carpet below, but through the sloping roof above." In answer to Question No. 700, he said: "Part of the air of the House of Commons is brought from above the roof; that below comes from the courtyards." In Question No. 718 he is asked as to draughts, and he says, "In the House of Commons the great faults was to cover the orifices and stop out the air; it could come in only at small orifices, and hence the draughts." Upon that I say, I am unable to trace any documents which give a reason for so complete a change in the system. He suddenly appears to have changed taking in the air from the top of the Clock Tower to making that the upcast and taking in air from the courtyards and also the roofs of the building. On the 12th of May 1854 the Honourable E. P. Bouverie, M.P., the Chairman of the Ways and Means, in answer to Question No. 753, said that "the late alterations made by Mr. Gurney have been, so far as he could judge, most successful. He did not think that the air, before the change was made, was so bad as many Members were inclined to think, but the House was full of draughts, but now there was an entire absence of the kind, and at the same time the air was very fresh and very pleasant." Mr. Bouverie goes on to say, in answer to Question No. 758, that he "had heard complaints from one or two quarters of the cold; but I think that there is a great fallacy in it very often; that Members prefer their own feelings to the temperature of the room. A Member who has dined thinks it warm, and one who has been waiting a long time for his dinner thinks it cold; but a fair test, I think, is sitting a long period of time, as I have to do in the House." Question No. 759, as to dust, Mr. Bouverie said that he thought that the House was freer from dust than before the alterations. In answer to Question No. 754, he said he "thought" that "the complaints about dust were rather exaggerated; what Members thought was dust was really fog from the outside." "One thing with regard to dust is, that there are such a number of persons coming with dirty shoes continually in and out, that there always will be a certain amount of dust on the floor." In Question No. 766, he is asked, "Which must be carried upward by the ascending air?" and his answer is, "Yes; I understood from Mr. Gurney before the Committe that his scheme, in its perfection, was to bring the air from above, but that he had not had the time and the means of doing it in the House of Commons, and was therefore obliged to bring it in from below."

Chairman—continued.

938. Though

Sir *Henry Roscoe.*

938. Though Mr. Gurney seems to have changed his plan, yet he states that it is best to get the air from above?—Yes.

939. You do not know why he changed?—No, he does not say why. Lord Charles James Fox Russell, Serjeant-at-Arms, House of Commons, at Question No. 852, was asked, "Has the inconvenience arising from dust been diminished?" His answer was, "I have never been affected by that; I have heard of honourable Members' throats being affected, but I never was." Then this is the evidence of E. S. Cayley, Esq., M.P., Question No. 778: "I think you said you sit on the floor?"—(*A.*) "Yes." Question No. 979, "Do you feel inconvenience from the dust there?"—(*A.*) "No, I cannot say that I do; the dust was extremely inconvenient before the change. Sometimes I have heard Members complain of seeing the dust, but I believe it is very often merely a sunbeam, and they see the smoke in the sunbeam coming down. I think nobody would be more likely to appreciate it than myself, because I suffer from hay fever in summer, and the least dust affects the eyes and nose in that complaint." Question No. 980, "And sitting on the floor, you would be almost the first to perceive it."—(*A.*) "Yes." Mr. Gurney reported, on the 17th June 1854, to the Committee on Ventilating and Lighting the House of Lords, recommending that the same system already in use in the House of Commons should be applied to the House of Lords; this recommendation was endorsed by the Committee in their Report dated 7th July 1854, and was accordingly carried out.

Chairman.

940. And that system has prevailed ever since in both Houses?—Yes. Throughout the evidence taken in the years 1852 and 1854 there is frequent mention of foul smells, but no mention is made as to any difference in the quality of the air taken from the high and low levels, neither does there appear to have been any analysis of the air. I am, therefore, inclined to believe that the change was made owing to the difficulty in drawing the air down from such a height without producing sensible draughts within the Chamber.

941. Do you think you would find a difficulty if the air were taken from a higher level as has been proposed; in preventing drafts, which it is your impression led to that system being discontinued formerly?—I think I should find a difficulty in preventing draughts by reducing the speed of the incoming air, as there is not sufficient space in the passages to allow the air to settle before entering the Chamber. I have prepared a table showing the present areas of intakes for the Committee-rooms, and what the areas would be under the proposed arrangement (*handing it in*). Some evidence has been given to-day with regard to the large Committee-room No. 10; the present inlet of air is only 1½ square feet; I proposed to make it 4½.

Sir *Henry Roscoe.*

942. Have you endeavoured to determine the amount of air passing in and out of the Committee-rooms at present?—Yes, but the experiments failed; I tried two Committee-rooms No. 9 and No. 12. while the Committees were sitting, and no air came in from below, but there was a very strong current passing out, the air being derived from the open windows.

943. In fact, it was not a fair test?—No. I then tried the rooms with the windows closed. when the Committees were not sitting, and the air was changed 1½ times in an hour, taking the air from below, and passing it through the room with the windows closed.

944. That would be altogether insufficient if the room were used for Committee purposes?—Altogether insufficient.

945. That indicates what you pointed out before, that the intake of fresh air is not sufficient?—Yes.

946. But you think when the intake is increased to the amount you propose there will be a sufficient area of intake?—I think so.

Dr. *Farquharson.*

947. Have you no means of finding out why Mr. Gurney altered his system; is there no report of any kind to show why he altered it?—I cannot find any report giving the reason. I find reports saying that it had been altered, but no report giving a reason for the alteration.

948. Is there any official connected with the building old enough to remember anything about it?—Two men in my department know something about it, but very little beyond that they heard complaints of dust. One man told me some years ago (he has died since) that Members used to say that their coats were like the coats of millers from the dust, and he mentioned the case of a Member gumming some ribbon and placing it alongside his seat, and after allowing it to remain some time, an hour or thereabout, holding it up and calling the attention of Members to the air they were breathing. The ribbon was covered with dust.

949. Was this arrangement of taking the air from the Victoria Tower the original plan devised by Dr. Reid?—That was the original plan. The original plan, I believe, was to take the air from the two furthest apart towers, that is, the Victoria Tower and the Clock Tower, and discharge the vitiated air through an enormously high Tower in the centre, into which all smoke from the building, not only from the ordinary fireplaces, but from the boilers, should also be taken. That Tower was to have been 300 or 400 feet high, but Sir Charles Barry objected to this as making the building look like an enormous steamer. The Committee, however, as I understand, overruled Sir Charles Barry's objection, and ordered that system to be carried out, but after a certain height with the Central Tower had been attained, Sir Charles Barry thought that the foundations were not sufficiently strong, and he would not take the responsibility of carrying up this high Tower. It was then abandoned, and Sir Charles Barry, in lieu of that, erected a number of smoke shafts throughout the building: one in the centre, one at the centre of the river front, one at Black Rod's, one at the Speaker's, and one at the north end of the House of Commons.

950. Is

Dr. *Farquharson*—continued.

950. Is there any report by Dr. Reid giving his reasons for his original plan and making any protest against the alteration by Sir Charles Barry?—I inquired about that in the Library of the House of Lords, and Mr. Pulman, the librarian, was not able to find anything as to that. I also understand that a great many of the original plans were altered from time to time, and that when the building was finished several of the arrangements were altogether altered.

Mr. *Richard Power.*

951. You heard what Mr. Taylor said about the roof of the Chamber itself; will you give us your opinion about that?—I have tested it by the hand, and it is very warm, but not excessively hot. The roof has been in its present state a number of years. The temperature never gets exceedingly high, but it is a high temperature. Generally from 90 to 110; 110 is the highest temperature I have noticed.

Mr. *Richard Power*—continued.

952. In your opinion is that a source of danger?—Decidedly there would be danger should a light be dropped; there is no danger from the existing gas lights; but if a man struck a match and dropped it there would be danger.

Mr. Reeves exhibited his model in the adjoining room, to show how sewer-gas was emitted into the air through the traps and gullies after heavy rainfalls, owing to the contents of the main sewer overflowing into the branch sewers and forcing up the water in the trap.

APPENDIX.

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APPENDIX, No. 1.

PAPER handed in by Mr. *W. J. Prim*, 3 July 1891.

COMMITTEE ROOM VENTILATION.

Number of Room.	Capacity of Room in cubic feet.	A Area of Inlet in square feet into Air Chamber.	Area of Inlet in square feet into Room.	B Area of Outlet in square feet.	Relation of area of Inlet **A** to capacity (1 square foot of inlet : capacity in cubic feet).	Relation of area of Outlet **B** to capacity, in cubic feet, per square foot.	Mode of Distribution of Air in the Room.	REMARKS.
1	21,336	5·25	7·	29·	4,064·00	735·72	At skirting	Total area of inlet at terrace to these Committee rooms, their corridors, the whole of the Peers' libraries and their corridors —18½ *square feet.*
2	20,908	7·	6·75	19·20	2,986·85	1,083·75	At skirting, above wainscoting, and two flaps in cabinet	
3	20,851	7·50	6·	18·33	2,780·13	1,137·53	At skirting	
4	20,851	3·83	6·80	10·75	5,441·51	1,939·62	At skirting and two flaps in cabinet	
5	20,377	5·50	7·	16·	3,704·90	1,273·56	At skirting and two flaps in cabinet	
6	20,377	9·	6·80	12·25	2,264·11	1,663·43	At skirting and two flaps in cabinet	Total area of inlet at terrace to these Committee rooms, Peers' Committee rooms, A. and B., Peers' dining rooms and their corridors—9¼ *square feet.*
7	14,322	4·16	2·	5·50	3,442·78	2,604·00	At skirting	
8	21,252	7.	6·66	16·	3,036·00	1,328·25	At skirting and two flaps in cabinet	Total area of inlet at terrace to these Committee rooms, Members' smoking and grill rooms, Grand Committee room, E., and their corridors—27¼ *square feet.*
9	21,406	9.	6·75	10·75	2,378·44	1,991·25	At skirting and two flaps in cabinet	
10 11	32,380	4·66	18·	9·10	6,948·49	3,558·24	At skirting at public end of room and through grating in gangway.	(Grand Committee room), total area of inlet at terrace to this room. Members' large dining, terrace dining, and private dining rooms—9¼ *square feet.*
12	21,439	8·66	7·33	10·75	2,475·63	1,994,32	At skirting, above wainscoting, and two flaps in cabinet	Total area of inlet at terrace to these Committee rooms, Ministers' dining rooms, library, map, and oriel rooms, dining room corridor and new smoking room.—35 *square feet.*
13	21,439	4·	7·25	10·50	5,359·75	2,041·80	At skirting and two flaps in cabinet	
14	14,322	5·95	2·	5·	2,490·77	2,864·44	At skirting	
15	20,724	1·50	7·	16·75	1,381·60	1,237·25	At skirting and two flaps in cabinet	Total area of inlet at terrace to these Committee rooms, A., library, Members' reading room, terrace smoking room an corridor—25 *square feet.*
16	20,724	6·	5·5	10·50	3,454·00	1,973·71	At skirting	
17	20,020	4·5	6·5	20·	4,448·88	1,001·00	At skirting and two flaps in cabinet	Total area of inlet at terrace to these Committee rooms, Members' tea room, B. and C., libraries, Ministers' and other rooms (12) and their corridors—46 *square feet.*
18	20,020	4·	6·25	10.75	5,005·00	1,862·32	At skirting and two flaps in cabinet	
19	20,636	8·5	4·	10·75	2,427·76	1,919·62	Two flaps in cabinet and through skirting under windows only	
20	20,328	4·5	7·5	22·50	4,517·33	903·46	At skirting	

APPENDIX, No. 2.

PAPER handed in by Mr. *W. J. Prim*, 20 July 1891.

TABLE showing Areas in Square Feet of Air Inlets apportioned to each Room, under the present and proposed Arrangement.

Number of Room.	Present Inlet at Terrace.	Proposed Inlet at Terrace.	Number of Room.	Present Inlet at Terrace.	Proposed Inlet at Terrace.
1	1·85	6·30	12	3·5	4·25
2	1·85	6·30	13	3·5	4·25
3	1·85	6·30	14	3·5	4·25
4	1·85	6·30	15	4·	4·25
5	1·85	6·30	16	4·	4·25
6	1·54	4·62	17	2·3	3·
7	1·54	4·62	18	2·3	3·
8	3·85	4·25	19	2·3	3·
9	3·85	4·25	20	2·3	3·
10	1·53	4·5			
11					

By the above apportionment of the available intakes the area of the intakes for the House of Commons Debating Chamber can be increased from 27·75 square feet to 37 square feet, while all the other rooms situated on the river front of the building would obtain an increased area of air inlet.

W. J. Prim.

APPENDIX, No. 3.

PLAN handed in by Mr. *Binnie*, 23 July 1891.

HOUSES OF

Plan o

Plan used by Mr Binnie,
13th July, 1891.

PARLIAMENT,

Sewers.

THAMES

E R R A C E

5'.6"

3'.0"

ROYAL COURT

VICTORIA TOWER GARDEN

ES OF PARLIAMENT

N

ABINGDON STREET

VEN.a

OLD PALACE YARD

Charcoal box

VEN.

S

Z

12" Pipe into L.C.C.S from Abingdon Street sewer 7ft. drop.

WESTMINSTER ABBEY

Summit

VEN.

Sewers under control of L.C.C.

" " " " District Board.

" " " " Office of Works.

Note. The Office of Works Sewers have all been altered since this Plan was made.

feet = 1 inch.

300 400 500 600 700 ft

Judd & Co Ltd Lith 73 & 75, Farringdon Rd & Doctors' Commons. 2631.7

I N D E X.

[*N.B.*—In this Index the Figures following the Names of the Witnesses, and those in the Analysis of Evidence of each Witness, refer to the Questions in the Evidence; the Figures following *App.* refer to the Pages in the Appendix; and the Numerals following *Rep.* to the Report and Proceedings of the Committee.]

A.

"*AYE*" *DIVISION LOBBY.* Proposal that a slight alteration be made in the ventilation of the "Aye" Division Lobby, so as to take off some of the air from the Lobby whilst a division is in progress, *Prim* 121. 123, 124.

Recommendation by the Committee that provision be made for the admission of air at the south end of the "Aye" Division Lobby, *Rep.* iii.

B.

Bakery (*Basement*). Suggestion that, with a view to preventing the smells complained of in connection with the bakery which adjoins the Ministers' Rooms in the basement, the doorway should be bricked up, *Taylor* 898.

Basement. See *Bakery.* *Committee Rooms.*

Binnie, Alexander Richard. (Analysis of his Evidence.)—Witness is engineer to the London County Council, 603.

Contention that the Westminster main low level sewer is in a remarkably clean condition, and that the sewage passes through it with sufficient velocity to carry everything away; absence of any complaints from the surrounding district, 604–631. 636 ——Recommendation that the alterations suggested by Major Tulloch, with a view to removing the possibility of sewer gas being disseminated through the neighbourhood, be carried out, and a new system of gullies with traps provided, 631–636. 671–676.

Suggestion that the main sewer might be efficiently ventilated by means of a 12-inch pipe carried up the Clock Tower, without being connected in any way with the ventilation of the House, 637-670. 677, 678. 683-688 ——Satisfaction with the drainage system of the House; practical impossibility of any sewer gas coming into the House through its own drains, 679–682.

Agreement of witness with Mr. Prim that it is better to draw the air for ventilation purposes from the Terrace than from the top of the Victoria Tower; advisability of steps being taken to limit the abstraction of water from the Thames, otherwise the air on the Terrace may become unpleasant, 684–692.

C.

Change of System. Result of witness' investigation of various Reports of Committees of Parliament on the Ventilation of the Houses that the change to the present system of ventilation was due to the difficulty of drawing the air from a great height without producing sensible draughts in the Chamber, *Prim* 937-950.

Comment by the Committee upon the change of system in the year 1854; *Rep.* iv.

Clock Tower. See *Inlets for Air.* *Sewers.*

Report, 1891—*continued.*

Committee Rooms:

Belief that there would be no difficulty in greatly improving the ventilation of the Committee-rooms if possession could be got of some of the lower basement rooms; doubt as to the possibility of obviating the nuisance of extreme cold near the windows in some of the Committee-rooms until the windows are doubled, *Taylor* 54-79. 100-110. —— Rough estimate that the total cost of carrying out the suggested improved ventilation of the Committee-rooms, including the perforated floor, would be about 2,500 *l.*, *ib.* 407-409.

Explanation of the system by which the Committee-rooms are at present ventilated and warmed; necessity of back valves being placed across vitiated air shafts to prevent occasional down draughts, *Prim* 234-266.

Explanations in connection with tables, relative to the ventilation of the Committee rooms, showing the inadequacy of the present air inlets, as compared with the outlets; belief that sufficient fresh air could be obtained for these rooms by utilising certain rooms in the basement and by other means, *Prim* 266-283; *App.* 63.

Submission by witness of a table showing the numerical results of the chemical and bacteriological analyses of the samples of air taken before and during sittings in Committee-rooms Nos. 10 and 17, *Lunt* 813 *et seq.*; 860——Conclusion that Committee-room No. 10 was uncomfortably warm, especially towards the end of the sitting, the air having become more vitiated than it should be in a well-ventilated room; condition of Committee-room No. 17 very much better, *ib.* 819-858. 860-866.

Advisability of increasing the area of inlet for fresh air, the present area being insufficient, with the windows open, to keep room No. 10 thoroughly ventilated during a three hours' sitting, *Lunt* 844, 845 —— Probability of the ventilation of the Committee-rooms being very much improved if it were possible to cut off the "pull" from the rooms not in use and distribute the fresh air among the crowded rooms, *ib.* 859.

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Paper submitted by Mr. Prim, containing details respecting the capacity of each of the twenty Committee-rooms in cubic feet, the area of inlet and of outlet, the mode of distribution of the air, &c., *App.* 64——Further table showing the areas in square feet of air inlets apportioned to each room, under the present and proposed arrangement, *ib.*

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Summary of cost represented by the several alterations and improvements recommeneded by the Committee; total of 4,735 *l.*, *Rep.* iii, iv.

D.

Debating Chamber. Particulars of the system at present in use for forcing air into the Debating Chamber of the House, which is only applied in foggy and hot weather, and is a slight attempt at plus pressure, *Prim* 132-151——Description of the process by which the House is warmed in cold weather, and cooled in hot weather, there being a powerful pull at each end of the Chamber; maintenance of an equable temperature of from 62° to 64°, except in very hot weather, when it is necessary to raise the temperature after the House has been sitting a long time, *ib.* 152-172. 231-233——Possibility of the roof of the Chamber being a source of danger should a lighted match be dropped, 951, 952.

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Recommendations by the Committee that for the purpose of increasing and improving the supply to the Debating Chamber of air drawn direct from the river front a more powerful air-propeller be provided, and that the existing heating and air-filtering system be re-arranged and enlarged, *Rep.* iii.

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E.

External Impurities. Occasional complaint of bad smells in and about the House due to accidental causes of impurity, mainly outside, *Prim* 216–222.

F.

Filtration of Air. Estimate that the cost of adapting the system of filtering the air for the Debating Chamber through cotton wool, now used exclusively during foggy weather, to the general air supply throughout the Session, would be about 175 *l.*, with an initial expenditure of 50 *l.*; necessity of an increase in the size of the propelling fan and the size of the filtering surface, *Prim* 575–602——Doubt as to the possibility of passing a sufficient quantity of air through cotton wool to supply the whole House in warm weather, *Taylor* 902–907.

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I.

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Report, 1891—*continued.*

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K.

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L.

Leigh, Hon. E. Chandos, Q.C. (Analysis of his Evidence.)—Evidence to the effect that in warm weather the condition of the room used by witness as Speaker's Counsel becomes intolerable, owing to the heat from the Kitchen, and the smells arising from the cooking; non-objection to occupying a room on the Committee-room floor, 488–489.

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Advisability of increasing the area of the inlet for fresh air, the present area being insufficient, with the windows open, to keep room No. 10 thoroughly ventilated during a three hours' sitting, 844, 845 ——Probability of the ventilation of the Committee-rooms being very much improved if it were possible to cut off the "pull" from the rooms not in use, and distribute the fresh air among the crowded rooms, 859.

N.

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P.

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[Second Examination.]—Explanation of the system by which the Committee-rooms are at present ventilated and warmed; necessity of back valves being placed across vitiated air shafts to prevent occasional down draughts, 234–266——Submission by witness of a table, relative to the ventilation of the Committee-rooms, showing the inadequacy of the present air inlets, as compared with the outlets; belief that sufficient fresh air could be obtained for these rooms by utilising certain rooms in the basement and by other means, 266–283.

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Prim, William Jacob. (Analysis of his Evidence)—*continued.*

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[Third Examination.]—Estimate that the cost of adapting the system of filtering the air for the Debating Chamber through cotton wool, now used exclusively during foggy weather, to the general air supply throughout the Session, would be about 175 *l.*, with an initial expenditure of 50 *l.*; necessity of an increase in the size of the propelling fan and the size of the filtering surface, 575-602.

[Fourth Examination.]—Result of witness' investigation of various Reports of Committees of Parliament on the Ventilation of the Houses that the change to the present system of ventilation was due to the difficulty of drawing the air down from a great height without producing sensible draughts in the Chamber, 937-950.

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[Second Examination.]—Correction of an inaccuracy in witness' previous evidence as to the quantity of sewer gas given off from the Westminster district; explanation that, when speaking of the escape of sewer gas into the houses, witness meant houses generally, including the Houses of Parliament, 867-871——Estimate that Reeves' chemical treatment for preventing the formation of sewer gas could be applied to the County Council and Westminster main sewers at an initial cost of 2,500 *l.*, with an annual charge of 650 *l.* for chemicals and labour, 868.

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S.

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Foul condition of the drain ventilators of the London County Council main drainage sewers, these affecting the purity of the air in the neighbourhood and in the Palace; necessity of a very tall building, with a very strong pull or furnace in it, to draw off the vitiated air, *Taylor* 412-429——Bad condition generally of the district sewers of Westminster, the fumes from which might still be drawn into the House sometimes, *Jones* 433-454.

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SEWERS—continued.

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Correction of an inaccuracy in witness' previous evidence as to the quantity of sewer gas given off from the Westminster district; explanation that when speaking of the escape of sewer gas into the houses, witness meant houses generally, including the Houses of Parliament, *Reeves* 867-871.

Estimate that Reeves' chemical treatment for preventing the formation of sewer gas could be applied to the County Council and Westminster main sewers at an initial cost of 2,500 *l.*, with an annual charge of 650 *l.* for chemicals and labour, *Reeves* 868.

Conclusion that, as the basement is only flooded when storms occur simultaneously with high water in the river, there must be some communication between the main sewers and the Thames, *Taylor* 908-910——Decided opinion that a ventilating shaft from the County Council sewer should not be allowed to be carried up the Clock Tower, *ib.* 911-915.

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T.

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Evidence to the effect that recommendations Nos. 1 to 7 of the Committee that reported in 1886, dealing with the drainage of the House, the improvement of the ventilation of the kitchen, and other matters, have all been satisfactorily carried out at a cost of about 22,500 *l.*; 2–19. 25–31—— Estimate that the cost of applying the plus system of pressure and ventilation to the House would be about 250 *l.*, with an annual charge of about 75 *l.* for maintenance, 19–24. 80–98. 110–113.

Opinion that steps should be taken by the Local Government Board to prevent the nuisances caused by imperfect combustion of refuse materials in the neighbourhood of the Palace, 32–39——Necessity of the rigid carrying out of the recommendation that no carriages or horses be allowed to remain in the courts whence the inlets of air are drawn, 40.

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[Third Examination.]—Opinion that Mr. Prim's suggestion for improving the ventilation of the tea room and reading room can be carried out, 872, 873—— Practicability of constructing a system of water-closets and urinals in what is now the Library Stationery-room, so as to prevent the unpleasant consequences arising from water-closets in a corridor, 874–878.

Statement that the covering up of portions of the floor air inlet of the Debating Chamber has naturally increased the draught in other parts of the House; expediency of removing all the coverings, 879–884—— Belief that if the air be taken from the top of the Victoria Tower and Clock Tower, the areas of inlet would only be sufficient to supply the two Debating Chambers; estimate that it would probably cost about 1,000 *l.* to apply the system to the two Chambers, 885–867.

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Conclusion that, as the basement is only flooded when storms occur simultaneously with high water in the river, there must be some communication between the main sewers and the Thames, 908–910—— Decided opinion that a ventilating shaft from the County Council sewer should not be allowed to be carried up the Clock Tower, 911–915.

Belief that a very considerable improvement could easily be made in the ventilation of the serving bar in the Members' Dining Room, 916—— Estimate that the total expense of carrying out the various improvements which witness is in favour of would be about 4,735 *l.*; possibility of the greater portion of them being completed by February next, 917–934.

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Terrace—continued.

when exposed at low tide and under the influence of the sun, *Jones* 358-396—— Recommendation that the two wash-basins that discharge into the rain-water on the terrace should be abolished, *Taylor* 899.

See also *Inlets for Air.*

U.

Urinals. See *Water Closets and Urinals.*

V.

Victoria Tower. See *Inlets for Air.*

W.

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Practicability of constructing a system of water-closets and urinals in what is now the Library Stationery Room, so as to prevent the unpleasant consequences arising from the water-closets in the corridor, *Taylor* 874-878.

Recommendation by the Committee that the existing water-closets and urinals in the Library corridor be abolished, and that others be provided in the room at the south end of the corridor, *Rep.* iv.

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REPORT

FROM THE

SELECT COMMITTEE

ON

HOUSE OF COMMONS (VENTILATION

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
24 *July* 1891.

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REPORT

FROM THE

SELECT COMMITTEE

ON

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND APPENDIX.

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222.

Irish Society and London Companies (Irish Estates).

Ordered,—[*Monday*, 26*th January* 1891] :—That a Select Committee be re-appointed to inquire as to the Terms of the Charters or other Instruments by which their Estates in Ireland were granted to the Irish Society and to the London Companies, and as to the Trusts and Obligations (if any) attaching to the Ownership of such Estates, and as to the mode in which the Sale of their Estates has been effected, or can be effected, consistently with such Trusts and Obligations as may be shown to have existed or now exist.

Committee nominated of—

Mr. Clancy.	Mr. Lawson.
Lord Elcho.	Mr. Lea.
Sir John Ellis.	Sir William Marriott.
Mr. John Ellis.	Mr. John Morley.
Mr. Elton.	Mr. Sexton.
Mr. T. M. Healy.	Sir Richard Temple.
Colonel Laurie.	

That the Committee have power to send for Persons, Papers, and Records.

That Five be the Quorum of the Committee.

Ordered,—[*Tuesday*, 14*th April* 1891]:—That the Minutes of Evidence taken before the Select Committee on Irish Society and London Companies (Irish Estates) in Sessions 1889, 1890, be referred to the Select Committee on Irish Society and London Companies (Irish Estates).

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REPORT.

THE SELECT COMMITTEE re-appointed to inquire as to the Terms of the CHARTERS or other INSTRUMENTS by which their ESTATES in *Ireland* were granted to the IRISH SOCIETY and to the LONDON COMPANIES, and as to the TRUSTS and OBLIGATIONS (if any) attaching to the Ownership of such ESTATES, and as to the mode in which the Sale of their ESTATES has been effected, or can be effected, consistently with such TRUSTS and OBLIGATIONS as may be shown to have existed or now exist;——HAVE agreed to the following REPORT:—

THE immediate occasion for the inquiry which your Committee has been appointed to conduct, arises from the sale by certain London companies of their estates in Ireland, and from the probability that this example will be followed by the two other companies. These transactions have brought into immediate and practical prominence two questions of great importance:—Do the London companies hold the Irish estates vested in them subject to trusts capable of being enforced in a court of law? Secondly, if no legal trusts are imposed by the instruments on which the companies found their title, did earlier documents, or did attendant circumstances, attach to the possession of these estates obligations of such a kind that, though not enforceable in a court of law, it would yet be proper for Parliament to take cognizance of them?

The task of pronouncing with decisive authority upon the legal construction of the charters and instruments in the order of reference, can plainly only be performed by a judicial tribunal. Your Committee understood their province to be to hear a full statement from the parties concerned of the various positions maintained by them, to collect the arguments by which those positions respectively were supported and defended, and finally to report to the House whether or not a *primâ facie* case had been established by those who insist that the grant of the estates was coupled with public purposes and trusts in Ireland, independent of the private benefit of the companies, and independent of the destination of the general funds of those companies in England.

It is not necessary to set out at length the history of the acquisition of their possessions in Ireland by the Irish Society and the City Companies. The circumstances are described in the judgments of Lord Langdale, then Master of the Rolls, and Lord Lyndhurst, then Lord Chancellor (1845), printed in the Appendix to the Reports made by your Committee in 1889 and in 1890. They are also described from different points of view in the speeches addressed to us by counsel in 1890. Here it will suffice shortly to recapitulate the principal stages.

Appendix (1889), p. 41 (1890), pp. 536–8.

The charters and instruments into which your Committee is directed to inquire, have their origin in the plantation of Ulster by King James I. In 1608 the six counties of Donegal, Derry, Tyrone, Fermanagh, Cavan, and Armagh, were held to have escheated to the Crown by the forfeiture of the Earls of Tyrone and Tyrconnel. Whether the attainder of the chiefs extinguished at the same time the rights, legal or equitable, of the cultivators who held under them, is pronounced by learned legal authorities to be an important historical question, but it does not materially affect this inquiry.

Richey's *History of the Irish People*, 598–9.

The King first proposed, in a document known as the Printed Book of Orders and Conditions, to private grantees to settle the lands "with a view not only to benefit themselves, but to do service to the Crown and Commonwealth." In 1609 the King entered into negotiations with the City of London, and drew up what in modern language would be a prospectus, containing Motives and Reasons why the City should undertake the plantation in the north of Ireland. These motives were (1) the grant of Derry, Coleraine, and the adjacent territory, to be planted with such undertakers as the City of London "should think fit for their best profit;" and (2) the profits of trading, and the

advantage of "easing themselves of an insupportable burden" in their surplus population.*

Motives and Reasons, par. 2.

The geographical or military position of the particular district of Derry, Coleraine, and the lands adjacent, was probably the reason why the King originally dealt with it through the City of London, and not through private undertakers. Derry was the key of Ulster, as was proved on a well-known occasion in subsequent history, and on that account the King and his advisers would be likely to regard the hands into which it fell, and the terms on which it was granted, with peculiar anxiety. The same reason would explain the retention of what may be regarded as the very eye of the district by the Irish Society, when in course of time the Irish Society conveyed the rest of the lands in severalty to the twelve companies.

Appendix, p. 450.

After protracted negotiations between the City and the King, the City agreed to levy, by taxation on individual members of the companies, 20,000*l.* for the purposes of the plantation. Possession was thereupon given to the City, and in 1613 the Irish Society, or the Society of the Governors and Assistants in London of the new Plantation in Ulster in Ireland, was incorporated by a charter of King James I. It is important to remark, as distinguishing the plantation from the ordinary colonial adventures of the time, and bearing on the point of public trusts, that the Irish Society was not incorporated in accordance with the prayer of a petition of merchant adventurers, like the various trading companies which have from time to time been incorporated by royal charter, but was the outcome of negotiations in which the first step was taken by the King as promoter of the undertaking.

The companies are not mentioned in this Charter, and the direct connection of the companies with the lands comprised in the Charter was derived through grants subsequently made by the society to the companies. After the incorporation of the Irish Society, commissioners proceeded to divide the land outside Derry, Coleraine, and 7,000 acres adjacent thereto, into 12 equal parts, and to allot these parts among the 12 companies with or without associates. The reason alleged by the Commissioners for not dividing the whole of the lands granted by the King, and for preserving Derry, Coleraine, and the 7,000 acres undivided was, that of this portion a division "could not fitly be made." The ground of this unfitness, as has already been suggested, was probably geographical or military.

The circumstances attending the division of the lands are of cardinal importance, in view of the judgment in the Skinners' case, two hundred and thirty years later (1845).

Appendix, 478.

It was not until three years after this Charter, that a licence to the companies to hold in mortmain was issued by the King. This licence was granted in order that the companies "might be the better encouraged and enabled to proceed, perfect, and finish the same intended plantation, and in future times reap some benefit or gain of this their great travails and expenses." The Irish Society conveyed the lands to the companies in severalty (1617–18), and possession was taken by the companies.

Complaints of breach of conditions began very early to be made against the Londoners, and interference by the Attorney General was threatened. Charles I., in 1625, addressed remonstrances to the Londoners, commanding them, among other matters, to let their lands at certain low rents.

Mr. Walker, pp. 343–4; Mr. Latham, p. 363.

In 1632, an information was laid in the Star Chamber against the City of London, to which the Irish Society were, by amendment, made defendants. The nature of these proceedings was explained by the counsel who addressed your Committee. It is enough here to observe, that the proceedings in the Star Chamber are chiefly remarkable from the circumstance, that in a court of law, however arbitrary in its tendency, the grantees of the king and their sub-grantees were alike held bound to perform the work of plantation, and other public duties. A fine was imposed, and it was ordered that the charter should be cancelled.

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* Bacon, in his *Discourse on the Plantation in Ireland*, addressed to James I., mentions relief against over-population in England as one of the advantages of the Plantation policy. 4 Spedding's *Life and Letters of Bacon*, 118. In March 1609–10 the Merchant Taylors' Company alone subscribed nearly 800*l.* to aid emigration to Virginia, though the chartered company which was engaged in planting Virginia was a mere association of adventurers, over which neither the City companies nor the City had any control, and in which they had at the time no beneficial interest. The Merchant Taylors afterwards received a Bill of Adventure of the nominal value of 200*l.*, but of no real value whatever. Clode, *Early History of the Merchant Taylors' Company*, 323.

The charter and the grant of lands to the Irish Society were renewed by Cromwell. On the Restoration, Cromwellian titles were in theory set aside, but in the case of the Irish Society, as in many others, King Charles II. made a grant to the same effect as the Protector's. This charter of Charles II. (1662) is the root of title for the Irish Society and for the Companies.

"The intention of the charter of Charles II." says Lord Langdale, "was to restore the Irish Society and also the Companies of the City of London to their former rights, and after making due allowance for all the differences which occur, the charter of Charles appears to me to be substantially, as it is avowedly, a restoration of the charter of James. The two charters are alike in their general purview, in their intended object, in the actions adopted to carry that object into effect, and in the powers conferred for the purpose."

It is well worthy of notice that if King Charles II. had designed to vary the charter of James I. so as to grant absolutely and beneficially, he would have taken the language of such charters as those of Rhode and Connecticut, to which reference was made before your Committee (1663-1664), where the grantees take, "to have and to hold, &c., upon trust and for the use and benefit of themselves and associates."

The renewal of the charter was followed by conveyances to the companies of the same lands and in the same manner as in the original conveyances of 1617.

The companies dealt with their estates for the most part, and with the exception of certain important particulars to be mentioned afterwards, in conformity with the ordinary practice of private landlords in Ireland. They let their property on long leases to middlemen. The tenants made their own improvements. The rents were raised on their improvements. Large fines on the renewal of the chief leases led to further exactions from the tenants. In 1802 Robert Slade, then Secretary of the Irish Society visited the North of Ireland and made a report to the Governor and Assistants in a narrative of his journey. Appendix to Concise View cci.

"The first notice," says Slade, "I received of my arrival on lands belonging to the Londoners (as they are there called), was at Kilrea, a market town situated on an eminence near the River Bann, which I learnt from the landlord of my inn was held by Mr. Stewart, uncle of Lord Castlereagh, under the Mercers' Company, and that it extended for more than six miles along the road over which I was to pass in my way to Londonderry. Inquiring into the reason of the want of accommodation and the apparent poverty of the place, the master of the inn observed: 'That it could not well be otherwise in a part of the country where they never saw the face of the owner of the soil, or even his under tenant;' and he mentioned this circumstance as a grievance which greatly prevails in Ireland, but particularly in all those parts situated in the north of the island which belongs to any of the City Companies. I felt," says Slade, the Secretary of the Irish Society, "the force of the observation, which impressed me with a greater degree of indulgence for the poverty, ignorance, and laziness of the lower order of the people, who toil for a miserable subsistence, and see the fruits of their labour carried off from time to time by an agent of their landlord, to be spent in a foreign country; while the very same description of people in England are cheered by a hospitable reception in the hall of their landlord when they wait upon him to pay their rent, derive benefit from his expenditure and example, and in case of petty disputes, find an honest magistrate, a kind landlord, and a well-informed neighbour to reconcile their differences, and prevent little misunderstandings from growing into rancour and the desire of revenge. This want of example, assistance and consolation from the resident land owners, deprives the inhabitants of all inducement to union, so that each family lives by itself, in a little cabin without a chimney, with a clay floor, and bed of straw or rags. A group of nearly naked figures are often seen at the doors, consisting of the wife and children. The husband finds the means by working at his loom to pay an extravagant price for four or five acres of land, on which a cow is kept for the family, and some potatoes and flax are grown. This, with a turf fire, kindled in the corner of their cabin, round which the family crouch, with some oatmeal for stirabout, constitutes all the wants, and whiskey the luxury of the Irish peasant; who, never looking beyond it, has no temptation to enterprise or exertion." Q. 3151-3.

"The road from Down Hill to Coleraine goes through the best part of the Cloth-workers' proportion, which was held by the Right Hon. Richard Jackson, who was the society's general agent. It is commonly reported in the country, that, having been obliged to raise the rents of his tenants very considerably in consequence of the large fine he paid, it produced an almost total emigration among them to America, and that they formed a principal part of that undisciplined body which brought about the surrender of the British Army at Saratoga."

It is important here to examine the view taken by the companies of the public duties owed by them to the occupants of the lands in their possession. The companies were directed to furnish your Committee with accounts which should show the relative proportions of the net annual income accruing from their Irish estates (after deducting cost of management, tithe, rates, and the like), expended in the form of donations and subscriptions in Ireland, and devoted to general public purposes in Great Britain respectively. The details of these accounts are to be found in the Appendix. One or two examples may be given in this place.

Appendix, 563. From these figures it appears that for the 10 years ending 30th April 1890, the Ironmongers, on a gross average income of 6,547 *l.*, devoted 631 *l.* per annum to donations and subscriptions in Ireland, and divided 2,425 *l.* among the associated companies for general purposes in England.

In the case of the Mercers, out of an average annual income for 58 years (1831—1889) of 9,602 *l.*, the average amount annually devoted to donations and subscriptions in Ireland was 1,375 *l.*, while the average annual amount distributed among the associated companies in London was 4,434 *l.*

The average gross income of the Skinners over a period of 10 years was 11,125 *l.*, out of which 5,519 *l.* was annually distributed among the associated companies in London, and 884 *l.* given in donations for public purposes on the Irish estates. During these 10 years a total sum of 4,060 *l.* was expended upon railways. This comprises 614 *l.* given towards preliminary expenses of one of the two railways in respect of which interest has been guaranteed by the Skinners' Company, and 3,445 *l.* being such interest as fell due in the last three years after the railways were opened. The full annual amount of the guarantee is 1,250 *l.*, and in 1885 and 1886 the full amount was paid.

For a period of 32 years (1853—1885), the Salters on a gross average income of 13,308 *l.*, bestowed in charitable donations in Ireland 1,077 *l.* per annum, and distributed among the associated companies in London an average annual amount of 7,281 *l.*

The first group of witnesses were clergymen of various denominations, and other persons resident in the districts concerned. From their evidence it appeared that the Irish Society have all along contributed to the support of churches, of ministers of religion, and of education. They have also contributed to the support of the Corporation of Derry, the amount for the year 1888 being given as 1,283 *l.* They have further contributed to various improvements in that city, including 40,000 *l.* for the freeing of Derry Bridge.

The recognition of public duties by the companies has been less complete, and, in recent years, never express. They have, however, contributed sums of money from year to year for the maintenance of the clergy of the Episcopalian Church and of the Presbyterian Church, and, in some instances, of the Roman Catholic Church on their estates. They have also contributed various sums for the building of Protestant churches and other ecclesiastical buildings. Dispensaries, railways, and drainage works, have also been aided from the funds of the companies.

Appendix, No. 6.

Q. 1339. 1682. Schools are also described as receiving support in the shape of donations, school-houses, and teachers' residences. There are at least two important cases of diminished liberality in this respect, given in the evidence of Lord Justice Fitzgibbon and others. One of these is the withdrawal of the donations from the Foyle College by nearly all the companies, the withdrawals amounting to 496 *l.* annually. The Mercers give a donation reduced from 105 *l.* to 50 *l.*, exacting for this the nomination of two boarders, by which, as Lord Justice Fitzgibbon has stated, they make a profit of 9 *l.* 16 *s.* instead of conferring a benefit. The other case is that of Rainey's School at Magherafelt. The Salters' Company formerly gave an annual donation, amounting to 180 *l.*, or, according to some of the witnesses, 200 *l.*; but on withdrawing they reduced their grant to the rent of a market place, of which they allocated only 66 *l.* to Rainey's School.

In selling their estates the companies have generally ignored the public local duties which their possessions had been previously held to impose. In some cases they withdrew or curtailed contributions even before the sale. When they did not wholly ignore these duties, they made very inadequate and temporary provision. The Fishmongers commuted their annual donations in a lump sum of three times the annual amount. The Clothworkers' Company, when selling to Sir Hervey Bruce, exacted from that gentleman a promise, binding only in honour, to continue their benefactions for 10 years more; and it is stated he has done so, and even gone beyond the 10 years, using

Q. 4926.

using a discretion of his own as to the objects. The sales have undoubtedly operated to the material disadvantage of the district, in respect of public objects, whatever advantage may have been gained by private purchasers.

The principal representative of the Skinners' Company, who gave evidence before your Committee, while denying the existence of a binding trust, expressed a desire to meet the Irish claims fully and fairly. Mr. Saunders used the following language: "Where we have entirely sold the estate, I confess I personally thought that 'everyone would recognise that if a landlord has ceased to have a pecuniary interest in 'land, he is not bound in the same way to pay subscriptions. But if the people attach so 'much importance to it, and if we understand that they did, I daresay the court will be 'very liberal; because we wish to apply (not that we have any obligation whatsoever to 'do so) our surplus income for purposes which are useful to the people, and we have done 'a great deal, or I will not say a great deal, but a certain amount in Ireland for founding 'scholarships and things of that kind." And, again, when asked whether he thought that the withdrawal of subscriptions was worthy of the liberality of a great City Company, the same witness replied: "What I really do think we should have done, and I hope will 'do even though this question of trust is raised, and it is actually charged against us that 'we recognise a trust, because we are liberal, what I think we should be inclined to do 'would be to give for general purposes in Ireland at least as much as we gave before. 'I am sure there is no feeling of illiberality on the part of the Company . . . . I would Q. 5554.
'rather see all these donations continued, if it was not recognised that we were obliged
'to do it. The court would feel themselves that it was only right and proper to continue Q. 5784.
'these if there is a strong feeling about it." Such a position is clearly not that of the ordinary private undertaker, and it indicates the consciousness that in selling their estates and carrying the whole of the proceeds out of the country, the Companies would be setting at naught the local public duties which were imposed upon them by the terms of their acquisition.

Previously to 1881 six Companies had sold— Appendix, 552.

Haberdashers	about 1675.
Merchant Tailors	„ 1728.
Goldsmiths	„ 1730.
Vintners	„ 1737.
Clothworkers	„ 1871.
Grocers	„ 1872.

The Clothworkers' in 1871 received from Sir Harvey Bruce 150,000 *l.*, less rebates of interest extending over 10 years, which reduced the nett amount to less than 135,000 *l.*

The Grocers' completed the sale of the whole of their Irish estates in 1877, for a net sum, after deducting cost of redeeming tithe and the expenses of sale, of 148,624 *l.*

Under the recent Purchase Acts, four Companies had sold their estates in the county of Londonderry up to June 1st, 1890. Appendix 565.

The Land Commissioners advanced, as the price of the estates of—

The Salters' Company	£. 230,596.
The Fishmongers' Company	129,405.
The Skinners' Company	132,125.
The Drapers' Company	95,176.

In the last two cases the whole estate is not yet sold. The total amount of the money paid, therefore, to these four Companies is 578,302 *l.* Besides this, to the three Companies last named, loans had been sanctioned, but not paid, to the total amount of 37,660 *l.*

Local grievances were from time to time mentioned, affecting circumstances of tenure, management, purchase, and other incidents of the dealings of the Companies with their Irish property, and evidence was pressed upon us in these matters. Your Committee, however, did not consider it incumbent upon them to enter into allegations of this kind, as the actual and probable sales of the property deprived such allegations of their bearing on the course of present transactions.

An experienced officer from the Land Commission gave some important evidence as to irregularities connected with the sale by the Drapers' Company. The existence of very large arrears of rent was not disclosed, the transaction was delayed in order to press the tenants for the arrears, and the bargains for purchase were found, in certain cases, to have been made under duress. Mr. Murrough O'Brien, June 12 and 19.

Evidence was given by inhabitants of Londonderry and Coleraine on the part taken by the Irish Society in the affairs of these towns. It was generally admitted that the Irish Society has, in later years, shown an active desire to use its powers for the best advantage of the inhabitants, and especially during the occupancy of the office of Governor by Sir Sidney Waterlow, and Sir John Whittaker Ellis, now the Governor, and a member of your Committee. But the witnesses, including Sir William Miller, who has been five times Mayor of Derry, were pretty unanimous in pronouncing the cost of management by the Irish Society excessive; in objecting to the large expenditure on law charges and other matters in London; in considering that inconvenience and delay arose from the necessity of submitting bye-laws to the Irish Society in London. Although agreeing, however, that the relation between the Irish Society and the Corporation of Londonderry is an indefensible relation in principle, they differed to some extent as to the best plan for reforming it.

The suggestions which appeared to have been best thought out were those of Dr. Todd, Q. 3682, 3113. namely, that the portion of the lands conveyed to the City of Derry under the original agreement between the Corporation and the Crown should now be allotted to the City of Derry, and should be managed by the Corporation: that what was allotted to Coleraine should now be managed by Coleraine; that the balance of the estates, both of the Irish Society and the Companies' estates, should be vested in trustees, to be applied by them for general public purposes in the locality; and that, subject to the claims of the clergy and the schoolmasters now in office, they should be applied, not to religious purposes, but to purposes of general utility in the benefit of which the whole community would participate.

Reviewing this matter, your Committee concur in the observations of the Commission on Municipal Corporations in England and Wales in 1854:—"We do not know "of any pretext of argument for continuing this municipal supremacy of the Irish "Society. A control of this kind, maintained at the present day by the municipality of "one town in England over another in Ireland, appears to us so indefensible in principle "that our opinion would not have been changed, even if it had been found (which we "have no reason to doubt) that hitherto it has been conducted with discretion and "forbearance."

Your Committee further concur in the following recommendation of the Royal Commissioners on the Corporation of London, which also sat in 1854, and in the reasons for that recommendation:—"The leading advantages which formerly accrued from the "connection of the managing body with the Corporation of London have ceased; and Q. 2334. "their distance from the place where the estates are situated necessarily creates "embarrassment in their administration as well as much additional expense. For these "reasons we recommend that the Irish Society be dissolved, and its charter repealed, by "Act of Parliament."

Your Committee do not concur in the recommendation that the property should be vested in trustees to be appointed by the Lord Chancellor of Ireland, but recommend rather that it should vest, some of it in the Corporations of Derry and Coleraine, and the rest in the elective county authority which it is understood that Parliament is shortly about to create.

After hearing witnesses from Ireland, and afterwards taking evidence from officers of the Companies and others in London, your Committee were addressed by counsel, first on behalf of parties in Derry who contend for the existence of public trusts impressed upon the Irish estates of the Companies, and next on behalf of the Companies, who deny that there is any legal limitation to their free beneficial enjoyment of these estates.

Your Committee found at the outset of their inquiry that one branch of it had already been practically settled. The terms on which the Irish Society held their estates were exhaustively investigated by the courts in the course of a suit brought against the Irish Society in 1832 by the Skinners' Company. The issue was whether the Irish Society held their property in trust for the Companies. These proceedings ended in a judicial decision by the House of Lords in 1845, definitely answering the question as *12 Clarke and Finnelly, 465. propounded by Lord Cottenham,* "whether the terms of the grant simply constituted "the Irish Society ordinary trustees for the benefit of the Companies; or whether the "grant was not coupled with certain public purposes and trusts independently of the "private benefit of the Companies." Lord Lyndhurst, in delivering the final judgment of the House of Lords, declared that the objects for which the Irish Society had been constituted were public and important objects; that these objects were still in existence; that

that the funds of the district were applicable to these purposes; that the Irish Society have a discretion as to what extent they will apply these funds and to what object; that if that be so, they are public officers invested with a public trust.* * Report of 1889, App. 43. 12 C. & F. 487–8.

Lord Campbell in his judgment said: "It seems to me that the object of the "Crown was that public purposes should be attained by the trustees who had the "management of these lands, and I am clearly of opinion that the purposes for which "the grant was made still continue, and that they are and must ever remain trustees for "the public."

It is true that by the judgment in the Skinners' Case, it was only decided that the Irish Society was not accountable to the Companies, and it was not expressly decided what were the limits of the Irish Society's discretion as against the public. But the practical effect of the decision sufficiently shows that it was understood to declare that the powers and trusts conferred on the Irish Society were of a general and public nature, and that subject to cost of management, it is all trust property for public purposes. For ever since 1845 the whole of the profits arising from the property of the Society has been expended in various public purposes, whether well chosen or ill chosen, and no surplus has been in any year allowed to remain for distribution among the Companies.

This judgment extinguished the claim of the Companies to be beneficiaries of the property vested in the Irish Society; and it put an end to their contention that the Irish Society holds that property in trust for the Companies. But the judgment, for practical purposes, leaves where it was the question whether the obligations imposed upon the Companies were merely the obligations of undertakers, or were obligations of a public nature such as the courts now affirmed to have been imposed on the Irish Society.

Although, however, the courts pronounced no opinion on matters that were not judicially before them, the whole course of reasoning and interpretation which guided the courts in defining the terms on which the Irish Society hold their estates, seemed to your Committee to have direct and cogent bearing on the case of the Companies.

After a careful review of all the transactions which gave to the London Companies possession of their Irish estates, and after full consideration of the arguments addressed to them by counsel, your Committee find it impossible to recognise valid grounds for separating the legal or equitable position held under the Charter by the Irish Society with the undivided remnant of the lands, from the position of the companies with the divided lands.

It is contrary to the reason of the case to suppose that the public objects of the whole plantation were satisfied by imposing trusts for those objects on the undivided remnant of the lands left to the Irish Society, and extinguishing such objects in the large area divided among the companies.

Your Committee find no indication, direct or indirect, that the King's large general intentions, either in 1613 or in 1662, were confined to the undivided land left in the immediate possession of the Irish Society. As Lord Langdale puts it, the undivided property "is *part of that granted* for the purposes of the plantation." It cannot, therefore, be treated as if it were the whole of the property granted for those purposes. In none of the instruments produced before us, can we discover any words by which, nor any time at which the original motives and reasons specifying public objects were relaxed or surrendered in the case of any portion of the lands dealt with by the Charters of 1613 and 1662, whether divided or undivided.

The language of the two Commissioners who, in 1613, viewed the lands, and made the division, contains no such implication. They simply say that as "it was "generally desired that a division should be made of all the lands by and among the "several companies undertaking in this plantation," they had proceeded to make an equal division of the land into 12 parts. But they go on to say, for Londonderry and Coleraine, and the 7,000 acres, the ferries and the fishings, "we are of opinion that a "division cannot fitly be made of them, but the rents and profits of them may be "divided, and go amongst the several Companies." * 12 C. & F. 440.

It is clear from this that, in leaving the two towns and the 7,000 acres undivided, the two Commissioners were not thinking of limiting the trusts to this portion of the Royal Grant, but merely of the practical inconvenience of letting that important district, involving the command of the approach by sea, go from under the direct control of the Irish Society. Whether this reasonable explanation of the reservation of the undivided lands be the true one or not, it is at least certain that not a word in the records of that

transaction contains a hint of an intention to restrict the satisfaction of the public trusts and obligations, now by the Skinners' case declared to exist, to any one particular portion of the lands granted.

This would plainly appear to have been the view of Lord Langdale, in the judgment afterwards affirmed on appeal by the House of Lords. "I am of opinion," said Lord Langdale, "that the powers granted to the Society, and the trusts reposed in them, "were in part of a general and public nature, *independent of the private benefit of the "companies of London*, and were intended by the Crown to benefit Ireland and the City "of London, by connecting the City of Londonderry and the Town of Coleraine, *and a "considerable Irish district*, with the City of London, and *to promote the general purposes "of the plantation, not only by securing the performance of the conditions imposed on "ordinary undertakers*, but also by the exercise of powers and the performance of trusts "*not within the scope of those conditions*."

If this judicial decision, and this foundation for the decision, be sound, as we are bound to take them to be, then your Committee are irresistibly forced to the opinion that the trusts and obligations which are now undeniably declared to have been imposed upon the Irish Society, equally affect and are equally binding upon the companies who took from that Society.

It is true that the conveyances of the lands to the companies contained no declaration of trusts; but then no more did the grant of the lands by the Crown to the Irish Society contain any declaration of trusts. And yet no one since 1845 has denied that the Irish Society holds the undivided lands under public trusts and obligations. This argument, therefore, from absence of express declaration of trusts, is of no weight.

It is true also that the companies have pretty uniformly denied the existence of all binding trusts But then, up to the filing of the Bill in Chancery by the Skinners, the Irish Society took the same view of their position in respect of the public, as is still taken by the companies. Yet that view the courts pronounced to have been for upwards of 200 years a mistaken view. The mere fact, therefore, that the companies have for 250 years regarded their contributions for public objects as purely voluntary, is no ground for inferring that the courts would support that construction of the instruments.

An opinion of the late Sir George Jessel was handed in. The questions asked of Sir George Jessel were, (1) "Whether the Crown by the Attorney General has the "right to interfere in the sale of this property by the Clothworkers' Company, and if so, "whether counsel would advise a Bill by information at the suit of the Attorney General "to be filed." This question Sir George Jessel answered in the negative; (2) "Whether "the Clothworkers' Company can appropriate to their own uses in the City of London "the entire purchase-money without reserving any portion of it for the public use of the "plantation in Ireland." This question he answered in the affirmative; (3) "Whether "the Clothworkers' Company are trustees for any public general purpose connected "with the plantation of Ulster or for any other public purpose in the City of London or "County of Londonderry." To which the answer was, "I answer this in the negative. "I am of opinion that the Clothworkers' Company were in the same position as individual "undertakers in the other settled counties, that is, they are ordinary owners in fee-simple, "subject only to the reservations expressly contained in the conveyance to them, and "can therefore, like other owners of fee-simple, sell their own property for their own "benefit to whom they please." But from the fact that Sir George Jessel gives no reasons, and from his brief consideration of the subject, no decisive weight can be attached to this opinion.

Your Committee are of opinion that the moneys paid by the individual members of the companies, in obedience to a compulsory levy by the Common Council, were of the nature of a tax, and were not a price by way of purchase. They are led to this inference, among other considerations, by the language used in the Licence in Mortmain (1615). That instrument recites that the companies disbursed, expended, and bestowed their money, not as ordinary purchasers, but in testimony to their true obedience to the King, and for advancing his desires in furthering the works of plantation; and in the same recital the willingness and intention of the companies to be at further charge, is evidently mentioned as one of the considerations of the Licence.

Appendix, 478.

Again, in the same Licence, the Irish Society are authorised to alienate such and so much of the lands as the society "may be willing from time to time." This discretion cannot be reconciled with the contention that the original monies levied on the companies constituted a purchasing price.

Appendix, 479, Line 1.

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The City, moreover, undoubtedly, after the grant of the lands, levied money on the companies for the purpose of the plantation, and on other occasions applied to the companies themselves for voluntary contributions. This is obviously inconsistent with the position that the companies had paid a price once for all in 1627.

According to a former master of the Skinners' Company, a sum of 120,000 *l.* was levied upon the companies in respect of the plantation in Ireland.* Some doubt was thrown upon the object of this levy, but if that were what Mr. Saunders affirmed it to be, then such a circumstance would seem to show that the companies were not purchasers of the lands granted to them, and that the conveyances by the Irish Society did not discharge the companies of further liabilities, as if they had been either by purchasers for value or private undertakers.

* Saunders, 5444.

Your Committee, in fine, are unable to discover any better grounds for placing the companies in the position of purchasers or of private undertakers, than those which the courts declared not to be valid grounds for regarding the Irish Society as representative of purchasers or private undertakers.

For many years past those interested in the solution of these questions were anxious to have them determined through the judgment of a competent tribunal. The cost, however, of such proceedings would be so formidable, and the interest of any individual so slender, while the interest of the Companies is so great, that it is not surprising that no action has ever been taken. But your Committee are of opinion that a *primâ facie* case exists for the proposition that, inasmuch as the courts have declared that public purposes are permanently attached to the lands preserved by the Irish Society, permanent public objects still follow the lands conveyed by the Irish Society to the companies, and the proceeds of the sale of such lands.

In a matter of such gravity your Committee consider that the intervention of the Attorney General is required. Meanwhile, the conclusions established by the Royal Commission on the companies presided over by Lord Derby (1882–84), in respect of the endowments of the City Companies generally, appear to be entirely applicable to the portion of those endowments existing in Ireland. It would be unjust to exclude the Irish tenants of the Companies from the benefits of the policy of Land Purchase, but it is indefensible to allow the vendors, by means of the Purchase Acts, to divest themselves of all the great local responsibilities peculiarly attached to their Irish estates. Your Committee consider that the proceeds of the sales constitute a fund, the benefits of which should, in conformity to the principles of the Commission of 1882–84, accrue wholly for purposes and objects described by Lord Langdale as "territorial," that is to say, local and Irish.

4 *May* 1891.

PROCEEDINGS OF THE COMMITTEE

Monday, 4th May 1891.

MEMBERS PRESENT:

Mr. Sexton.	Mr. T. M. Healy.
Mr. John Morley.	Mr. John Ellis.
Mr. Clancy.	Colonel Laurie.
Sir William Marriott.	Mr. Lea.
Mr. Elton.	Sir Richard Temple.
Mr. Lawson.	Lord Elcho.
Sir John Ellis.	

Mr. JOHN MORLEY, was called to the Chair.

DRAFT REPORT, proposed by the *Chairman*, read the first time, as follows:—

"1. THE immediate occasion for the inquiry which your Committee has been appointed to conduct, arises from the sale by certain London companies of their estates in Ireland, and from the probability that this example will be followed by the two other companies. These transactions have brought into immediate and practical prominence two questions of great importance:—Do the London companies hold the Irish estates vested in them subject to trusts capable of being enforced in a court of law? Secondly, if no legal trusts are imposed by the instruments on which the companies found their title, did earlier documents, or did attendant circumstances, attach to the possession of these estates obligations of such a kind that, though not enforceable in a court of law, it would yet be proper for Parliament to take cognizance of them.

"2. The task of pronouncing with decisive authority upon the legal construction of the charters and instruments in the order of reference, can plainly only be performed by a judicial tribunal. Your Committee understood their province to be to hear a full statement from the parties concerned of the various positions maintained by them, to collect the arguments by which those positions respectively were supported and defended, and finally to report to the House whether or not a *primâ facie* case had been established by those who insist that the grant of the estates was coupled with public purposes and trusts in Ireland, independent of the private benefit of the companies, and independent of the destination of the general funds of those companies in England.

Appendix (1889) p. 41 (1890), pp. 536–8.

"3. It is not necessary to set out at length the history of the acquisition of their possessions in Ireland by the Irish Society and the City Companies. The circumstances are fully described in the judgments of Lord Langdale, then Master of the Rolls, and Lord Lyndhurst, then Lord Chancellor (1845), printed in the Appendix to the Reports made by your Committee in 1889 and in 1890. They are also described from different points of view in the speeches addressed to us by counsel in 1890. Here it will suffice shortly to recapitulate the principal stages.

"4. The charters and instruments into which your Committee is directed to inquire have their origin in the plantation of Ulster by King James I. In 1608 the six counties of Donegal, Derry, Tyrone, Fermanagh, Cavan, and Armagh, were held to have escheated to the Crown by the forfeiture of the Earls of Tyrone and Tyrconnel. Whether the attainder of the chiefs extinguished at the same time the rights, legal or equitable, of the cultivators who held under them, is pronounced by learned legal authorities to be an important historical question, but it does not affect this inquiry.

Richey's *History of the Irish People*, 593–9.

"5. The King first proposed, in a document known as the Printed Book of Orders and Conditions, to private grantees to settle the lands 'with a view not only to benefit themselves, but to do service to the Crown and Commonwealth.' In 1609 the King entered into negotiations with the City of London, and drew up what in modern language would be a prospectus, containing Motives and Reasons why the City should undertake the plantation in the North of Ireland. These motives were (1) the grant of Derry, Coleraine, and the adjacent territory, to be

be planted with such undertakers as the City of London 'should think fit for their best profit;' and (2) the profits of trading, and the advantage of 'easing themselves of an insupportable burden' in their surplus population.*

"6. The geographical or military position of the particular district of Derry, Coleraine, and the lands adjacent, was probably the reason why the King originally dealt with it through the City of London, and not through private undertakers. Derry was the key of Ulster, as was proved on a well-known occasion in subsequent history, and on that account the King and his advisers would be likely to regard the hands into which it fell, and the terms on which it was granted, with peculiar anxiety. The same reason would explain the retention of what may be regarded as the very eye of the district to the Irish Society, when in course of time the Irish Society conveyed the rest of the lands in severalty to the twelve companies. *Motives and Reasons*, par. 2.

"7. After protracted negotiations between the City and the King, the City agreed to levy, by taxation on individual members of the companies, 20,000 *l.* for the purposes of the plantation. Possession was thereupon given to the City, and in 1613 the Irish Society, or the Society of the Governors and Assistants in London of the new Plantation in Ulster in Ireland, was incorporated by a charter of King James I. It is important to remark, as distinguishing the plantation from the ordinary colonial adventures of the time, and bearing on the point of public trusts, that the Irish Society was not incorporated in accordance with the prayer of a petition of merchant adventurers, like the various trading companies which have from time to time been incorporated by royal charter, but was the outcome of negotiations in which the first step was taken by the King as promoter of the undertaking. Appendix, p. 450.

"8. The companies are not mentioned in this Charter, and the direct connection of the companies with the lands comprised in the Charter was derived through grants subsequently made by the society to the companies. After the incorporation of the Irish Society, commissioners proceeded to divide the land outside Derry, Coleraine, and 7,000 acres adjacent thereto, into 12 equal parts, and to allot these parts among the 12 companies with or without associates. The reason alleged by the Commissioners for not dividing the whole of the lands granted by the King, and for preserving Derry, Coleraine, and the 7,000 acres undivided was that of this portion a division 'could not fitly be made.' The ground of this unfitness, as has already been suggested, was probably geographical or military.

"The circumstances attending the division of the lands are of cardinal importance, in view of the judgment in the Skinners' case, two hundred and thirty years later (1845).

"9. It was not until three years after this Charter, that a license to the companies to hold in mortmain was issued by the King. This license was granted in order that the companies 'might be the better encouraged and enabled to proceed, perfect, and finish the same intended plantation, and in future times reap some benefit or gain of this their great travails and expenses.' The Irish Society conveyed the lands to the companies in severalty (1617–18), and possession was taken by the companies. Appendix, 478.

"10. Complaints of breach of conditions began very early to be made against the Londoners, and interference by the Attorney General was threatened. Charles I., in 1625, addressed remonstrances to the Londoners, commanding them, among other matters, to let their lands at certain low rents. No such remonstrances appear to have been addressed to ordinary private undertakers.

"11. In 1632, an information was laid in the Star Chamber against the City of London, to which the Irish Society were, by amendment, made defendants. The nature of these proceedings was explained by the counsel who addressed your Committee. It is enough here to observe, that the proceedings in the Star Chamber are chiefly remarkable from the circumstance, that in a court of law, however arbitrary in its tendency, the grantees of the King and their sub-grantees were alike held bound to perform the work of plantation, and other public duties. A fine was imposed, and it was ordered that the charter should be cancelled. Mr. Walker, pp. 343–4; Mr. Latham, p. 363.

"12. The charter and the grant of lands to the Irish Society were renewed by Cromwell. On the Restoration, Cromwellian titles were in theory set aside, but In the case of the Irish Society, as in many others, King Charles II. made a grant to the same effect as the Protector's. This charter of Charles II. (1662) is the root of title for the Irish Society and for the Companies.

"13. 'The intention of the charter of Charles II.' says Lord Langdale, 'was to restore the 'Irish Society and also the Companies of the City of London to their former rights, and after 'making due allowance for all the differences which occur, the charter of Charles appears to me 'to be substantially, as it is avowedly, a restoration of the charter of James. The two charters 'are alike in their general purview, in their intended object in the actions adopted to carry that 'object into effect, and in the powers conferred for the purpose.'

"It is well worthy of notice that if King Charles II. had designed to vary the charter of James I. so as to grant absolutely and beneficially, he would have taken the language of such charters

* Bacon, in his *Discourse on the Plantation in Ireland*, addressed to James I., mentions relief against over-populaton in England as one of the advantages of the Plantation policy, 4 Spedding's *Life and Letters of Bacon*, 118. In March 1609–10 the Merchant Taylors' Company alone subscribed nearly 800 *l.* to aid emigration to Virginia, though the chartered company which was engaged in planting Virginia was a mere association of adventurers, over which neither the City companies nor the City had any control, and in which they had at the time no beneficial interest. The Merchant Taylors afterwards received a Bill of Adventure of the nominal value of 200 *l.*, but of no real value whatever. Clode, *Early History of the Merchant Taylors' Company*, 323.

charters as those of Rhode and Connecticut, to which reference was made before your Committee (1663–1664). where the grantees take, 'to have and to hold, &c., upon trust and for the 'use and benefit of themselves and associates.'

" 14. The renewal of the charter was followed by conveyances to the companies of the same lands and in the same manner as in the original conveyances of 1617.

" 15. The companies dealt with their estates for the most part, and with the exception of certain important particulars to be mentioned afterwards, in conformity with the ordinary practice of private landlords in Ireland. They let their property on long leases to middlemen. The tenants made their own improvements. The rents were raised on their improvements. Large fines on the renewal of the chief leases led to further exactions from the tenants. In 1802 Robert Slade, then Secretary of the Irish Society, visited the North of Ireland and made a report to the Governor and Assistants in a narrative of his journey.

Appendix to Concise View, cci.

Q. 3151-3.

" 'The first notice,' says Slade, 'I received of my arrival on lands belonging to the 'Londoners (as they are there called), was at Kilrea, a market town situated on an eminence 'near the River Bann, which I learnt from the landlord of my inn was held by Mr. Stewart, 'uncle of Lord Castlereagh, under the Mercers' Company, and that it extended for more than 'six miles along the road over which I was to pass in my way to Londonderry. Inquiring into 'the reason of the want of accommodation and the apparent poverty of the place, the master 'of the inn observed: "That it could not well be otherwise in a part of the country where 'they never saw the face of the owner of the soil, or even his under tenant;" and he mentioned this circumstance as a grievance which greatly prevails in Ireland, but particularly in 'all those parts situated in the north of the island which belongs to any of the City Companies. 'I felt,' says Slade, the Secretary of the Irish Society, 'the force of the observation, which 'impressed me with a greater degree of indulgence for the poverty, ignorance, and laziness of 'the lower order of the people, who toil for a miserable subsistence, and see the fruits of their 'labour carried off from time to time by an agent of their landlord, to be spent in a foreign 'country; while the very same description of people in England are cheered by a hospitable 'reception in the hall of their landlord when they wait upon him to pay their rent, derive 'benefit from his expenditure and example, and in case of petty disputes, find an honest 'magistrate, a kind landlord, and a well-informed neighbour to reconcile their differences, and 'prevent little misunderstandings from growing into rancour and the desire of revenge. This 'want of example, assistance and consolation from the resident landowners deprives the 'inhabitants of all inducement to union, so that each family lives by itself, in a little cabin 'without a chimney, with a clay floor, and bed of straw or rags. A group of nearly naked 'figures are often seen at the doors, consisting of the wife and children. The husband finds 'the means by working at his loom to pay an extravagant price for four or five acres of land, 'on which a cow is kept for the family, and some potatoes and flax are grown. This, with a 'turf fire, kindled in the corner of their cabin, round which the family crouch, with some 'oatmeal or stirabout, constitutes all the wants, and whiskey the luxury of the Irish peasant; 'who, never looking beyond it, has no temptation to enterprise or exertion.'

" 'The road from Down Hill to Coleraine goes through the best part of the Clothworkers' 'proportion, which was held by the Right Hon. Richard Jackson, who was the society's general 'agent. It is commonly reported in the country, that, having been obliged to raise the rents of 'his tenants very considerably in consequence of the large fine he paid, it produced an almost 'total emigration among them to America, and that they formed a principal part of that 'undisciplined body which brought about the surrender of the British Army at Saratoga.'

" 16. It is important here to examine the view taken by the companies of the public duties owed by them to the occupants of the lands in their possession. The companies were directed to furnish your Committee with accounts which should show the relative proportions of the net annual income accruing from their Irish estates (after deducting cost of management, tithe, rates, and the like), expended in the form of donations and subscriptions in Ireland, and devoted to general public purposes in Great Britain respectively. The details of these accounts are to be found in the Appendix. One or two examples may be given in this place.

Appendix, 563.

" From these figures it appears that for the 10 years ending 30th April 1890, the Ironmongers, on a gross average income of 6,547 *l.*, devoted 631 *l.* per annum to donations and subscriptions in Ireland, and divided 2,425 *l.* among the associated companies for general purposes in England.

" In the case of the Mercers, out of an annual average income for 58 years (1831—1889) of 9,602 *l.* the average amount annually devoted to donations and subscriptions in Ireland was 1,375 *l.*, while the average annual amount distributed among the associated companies in London was 4,434 *l.*

" The average gross income of the Skinners over a period of 10 years was 11,125 *l.*, out of which 5,519 *l.* was annually distributed among the associated companies in London, and 884 *l.* given in donations for public purposes on the Irish estates. During these 10 years a total sum of 4,060 *l.* was expended upon railways. This comprises 614 *l.* given towards preliminary expenses of one of the two railways in respect of which interest has been guaranteed by the Skinners' Company, and 3,445 *l.* being such interest as fell due in the last three years after the railways were opened. The full annual amount of the guarantee is 1,250 *l.*, and in 1885 and 1886 the full amount was paid.

" For a period of 32 years (1853—1885), the Salters on a gross average income of 13,308 *l.*, bestowed in charitable donations in Ireland 1,077 *l.* per annum, and distributed among the associated companies in London an average annual amount of 7,281 *l.*

" 16*. The

"16*. The first group of witnesses were clergymen of various denominations, and other persons resident in the districts concerned. From their evidence it appeared that the Irish Society have all along contributed to the support of churches, of ministers of religion, and of education. They have also contributed to the support of the Corporation of Derry, the amount for this year 1888 being given as 1,283 *l.* They have further contributed to various improvements in that city, including 4,000 *l.* for the freeing of Derry Bridge.

"17. The recognition of public duties by the companies has been less complete, and, in recent years, never express. They have, however, contributed sums of money from year to year for the maintenance of the clergy of the Episcopalian Church and of the Presbyterian Church, and, in some instances, of the Roman Catholic Church on their estates. They have also contributed various sums for the building of Protestant churches and other ecclesiastical buildings. Dispensaries, railways, and drainage works have also been aided from the funds of the companies. Appendix, No. 6.

"18. Schools are also described as receiving support in the shape of donations, school-houses, and teachers' residences. There are at least two important cases of diminished liberality in this respect, given in the evidence of Lord Justice Fitzgibbon and others. One of these is the withdrawal of the donations from the Foyle College by nearly all the companies, the withdrawals amounting to 496 *l.* annually. The Mercers give a donation reduced from 105 *l.* to 50 *l.*, exacting for this the nomination of two boarders, by which, as Lord Justice Fitzgibbon has stated, they make a profit of 9 *l.* 16 *s.* instead of conferring a benefit. The other case is that of Rainey's School at Magherafelt. The Salters' Company formerly gave an annual donation, amounting to 180 *l.* or, according to some of the witnesses, 200 *l.*; but on withdrawing they reduced their grant to the rent of a market-place, of which they allocated only 66 *l.* to Rainey's School. Q. 1339. 1682.

"19. In selling their estates the companies have generally ignored the public local duties which their possessions had been previously held to impose. In some cases they withdrew or curtailed contributions even before the sale. When they did not wholly ignore these duties, they made very inadequate and temporary provision. The Fishmongers commuted their annual donations in a lump sum of three times the annual amount. The Clothworkers' Company, when selling to Sir Hervey Bruce, exacted from that gentleman a promise, binding only in honour, to continue their benefactions for 10 years more; and it is stated he has done so, and even gone beyond the 10 years, using a discretion of his own as to the objects. The sales have undoubtedly operated to the material disadvantage of the district, in respect of public objects, whatever advantage may have been gained by private purchasers. Q. 4926.

"20. The principal representative of the Skinners' Company, who gave evidence before your Committee, while denying the existence of a binding trust, expressed a desire to meet the Irish claims fully and fairly. Mr. Saunders used the following language: 'Where we 'have entirely sold the estate, I confess I personally thought that everyone would recognise 'that if a landlord has ceased to have a pecuniary interest in land, he is not bound in the same 'way to pay subscriptions. But if the people attach so much importance to it, and if we 'understand that they did, I daresay the court will be very liberal; because we wish to apply '(not that we have any obligation whatsoever to do so) our surplus income for purposes which 'are useful to the people, and we have done a great deal, or I will not say a great deal, but a 'certain amount in Ireland for founding scholarships and things of that kind.' And, again, when asked whether he thought that the withdrawal of subscriptions was worthy of the liberality of a great City Company, the same witness replied: 'What I really do think we 'should have done, and I hope will do even though this question of trust is raised, and it is 'actually charged against us that we recognise a trust, because we are liberal, what I think 'we should be inclined to do would be to give for general purposes in Ireland at least as much 'as we gave before. I am sure there is no feeling of illiberality on the part of the Company '. . . . . I would rather see all these donations continued, if it was not recognised that 'we were obliged to do it. The court would feel themselves that it was only right and proper 'to continue these if there is a strong feeling about it.' Such a position is clearly not that of the ordinary private undertaker, and it indicates the consciousness that in selling their estates and carrying the whole of the proceeds out of the country, the Companies would be setting at naught the local public duties which were imposed upon them by the terms of their acquisition. * Q. 5554. Q. 5784.

"Under the recent Purchase Acts, four Companies had sold their estates in the county of Londonderry up to June 1st, 1890. The Land Commissioners advanced, as the price of the estates of the Salters' Company the sum of 230,596 *l.*; for the Fishmongers', 120,405 *l.*; for the Skinners', 132,125 *l.*; for the Drapers', 95,176 *l.* In the last two cases the whole estate is not yet sold. The total amount of the money paid, therefore, to these four Companies is 578,302 *l.* Besides this, to the three Companies last named, loans had been sanctioneded, but not paid, to the total amount of 37,660 *l.* * Appendix, 565.

"21. Previously to 1881 four Companies had sold. The Grocers' completed the sale of the whole of their Irish estates in 1877, for a net sum, after deducting cost of redeeming tithe and the expenses of sale, of 148,624 *l.* The Clothworkers' received from Sir Harvey Bruce 165,000 *l.* Other circumstances of the earlier sales are not in evidence before your Committee. Appendix, 552.

"21*. Local grievances were from time to time mentioned, affecting circumstances of tenure, management, purchase, and other incidents of the dealings of the Companies with their

Irish property, and evidence was pressed upon us in these matters. Your Committee, however, did not consider it incumbent upon them to enter into allegations of this kind, as the actual and probable sales of the property deprived such allegations of their bearing on the course of present transactions.

Murrough ien, June d 19.

"22. An experienced officer from the Land Commission gave some important evidence as to irregularities connected with the sale by the Drapers' Company. The existence of very large arrears of rent was not disclosed, the transaction was delayed in order to press the tenants for the arrears, and the bargains for purchase were found, in certain cases, to have been made under duress.

"23. Evidence was given by inhabitants of Londonderry and Coleraine on the part taken by the Irish Society in the affairs of these towns. It was generally admitted that the Irish Society has, in later years, shown an active desire to use its powers for the best advantage of the inhabitants, and especially during the occupancy of the office of Governor by Sir Sydney Waterlow, and Sir John Whittaker Ellis, now the Governor, and a member of your Committee. But the witnesses, including Sir William Miller, who has been five times Mayor of Derry, were pretty unanimous in pronouncing the cost of management by the Irish Society excessive; in objecting to the large expenditure on law charges and other matters in London; in considering that inconvenience and delay arose from the necessity of submitting bye-laws to the Irish Society in London. Although agreeing, however, that the relation between the Irish Society and the Corporation of Londonderry is an indefensible relation in principle, they differed to some extent as to the best plan for reforming it.

"The suggestions which appeared to have been best thought out were those of Dr. Todd, namely, that the portion of the lands conveyed to the City of Derry under the original agreement between the Corporation and the Crown should now be allotted to the City of Derry, and should be managed by the Corporation: that what was allotted to Coleraine should now be managed by Coleraine; that the balance of the estates, both of the Irish Society and the Companies' estates, should be vested in trustees, to be applied by them for general public purposes in the locality; and that, subject to the claims of the clergy and the schoolmasters now in office, they should be applied, not to religious purposes, but to purposes of general utility in the benefit of which the whole community would participate.

3682, 3113.

"24. Reviewing this matter, your Committee concur in the observations of the Commission on Municipal Corporations in England and Wales in 1854:—'We do not know of any pretext 'of argument for continuing this municipal supremacy of the Irish Society. A control of this 'kind, maintained at the present day by the municipality of one town in England over another 'in Ireland, appears to us so indefensible in principle that our opinion would not have been 'changed, even if it had been found (which we have no reason to doubt) that hitherto it has 'been conducted with discretion and forbearance.'

"Your Committee further concur in the following recommendation of the Royal Commissioners on the Corporation of London, which also sat in 1854, and in the reasons for that recommendation:—'The leading advantages which formerly accrued from the connection of 'the managing body with the Corporation of London have ceased; and their distance from 'the place where the estates are situated necessarily creates embarrassment in their adminis- 'tration as well as much additional expense. For these reasons we recommend that the Irish 'Society be dissolved, and its charter repealed, by Act of Parliament.'

Q. 2334.

"Your Committee do not concur in the recommendation that the property should be vested in trustees to be appointed by the Lord Chancellor of Ireland, but recommend rather that it should vest, some of it in the Corporations of Derry and Coleraine, and the rest in the elective county authority which it is understood that Parliament is shortly about to create.

"25. After hearing witnesses from Ireland, and afterwards taking evidence from officers of the Companies and others in London, your Committee were addressed by counsel, first on behalf of parties in Derry who contend for the existence of public trusts impressed upon the Irish estates of the Companies, and next on behalf of the Companies, who deny that there is any legal limitation to their free beneficial enjoyment of these estates.

"26. Your Committee found at the outset of their inquiry that one branch of it had already been practically settled. The terms on which the Irish Society held their estates were exhaustively investigated by the courts in the course of a suit brought against the Irish Society in 1832 by the Skinners' Company. The issue was whether the Irish Society held their property in trust for the Companies. These proceedings ended in a judicial decision by the House of Lords in 1845, definitely answering the question as propounded by Lord Cottenham,* 'whether the terms of the grant simply constituted the Irish Society ordinary 'trustees for the benefit of the Companies; or whether the grant was not coupled with certain 'public purposes and trusts independently of the private benefit of the Companies.' Lord Lyndhurst, in delivering the final judgment of the House of Lords, declared that the objects for which the Irish Society had been constituted were public and important objects; that these objects were still in existence; that the funds of the district were applicable to these purposes; that the Irish Society have a discretion as to what extent they will apply these funds and to what object; that if that be so, they are public officers invested with a public trust.*

rke and elly, 465.

port of 1869, 43. & F. 487-8.

"27. Lord Campbell in his judgment said: 'It seems to me that the object of the Crown 'was that public purposes should be attained by the trustees who had the management of these

'these lands, and I am clearly of opinion that the purposes for which the grant was made still 'continue, and that they are and must ever remain trustees for the public.'

"28. It is true that by the judgment in the Skinners' Case, it was only decided that the Irish Society was not accountable to the Companies, and it was not expressly decided what were the limits of the Irish Society's discretion as against the public. But the practical effect of the decision sufficiently shows that it was understood to declare that the powers and trusts conferred on the Irish Society were of a general and public nature, and that subject to cost of management, it is all trust property for public purposes. For ever since 1845 the whole of the profits arising from the property of the Society has been expended in various public purposes, whether well chosen or ill chosen, and no surplus has been in any year allowed to remain for distribution among the Companies.

"29. This judgment extinguished the claim of the companies to be beneficiaries of the property vested in the Irish Society; and it put an end to their contention that the Irish Society holds that property in trust for the Companies. But the judgment, for practical purposes, leaves where it was the question whether the obligations imposed upon the companies were merely the obligations of undertakers, or were obligations of a public nature such as the courts now affirmed to have been imposed on the Irish Society.

"30. Although, however, the courts pronounced no opinion on matters that were not judicially before them, the whole course of reasoning and interpretation which guided the courts in defining the terms on which the Irish Society hold their estates, seemed to your Committee to have direct and cogent bearing on the case of the Companies.

"31. After a careful review of all the transactions which gave to the London Companies possession of their Irish estates, and after full consideration of the arguments addressed to them by counsel, your Committee find it impossible to recognise valid grounds for separating the legal or equitable position held under the Charter by the Irish Society with the undivided remnant of the lands, from the position of the companies with the divided lands.

"32. It is contrary to the reason of the case to suppose that the public objects of the whole plantation were satisfied by imposing trusts for those objects on the undivided remnant of the lands left to the Irish Society, and extinguishing such objects in the large area divided among the companies.

"Your Committee find no indication, direct or indirect, that the King's large general intentions, either in 1613 or in 1662, were confined to the undivided land left in the immediate possession of the Irish Society. As Lord Langdale puts it, the undivided property 'is *part of* '*that granted* for the purposes of the plantation.' It cannot, therefore, be treated as if it were the whole of the property granted for those purposes. In none of the instruments produced before us, can we discover any words by which, nor any time at which the original motives and reasons specifying public objects were relaxed or surrendered in the case of any portion of the lands dealt with by the Charters of 1613 and 1662, whether divided or undivided.

"33. The language of the two Commissioners who, in 1613, viewed the lands, and made the division, contains no such implication. They simply say that as 'it was generally desired 'that a division should be made of all the lands by and among the several companies 'undertaking in this plantation,' they had proceeded to make an equal division of the land into 12 parts. But they go on to say, for Londonderry and Coleraine, and the 7,000 acres, the ferries and the fishings, 'we are of opinion that a division cannot fitly be made of them, but 'the rents and profits of them may be divided, and go amongst the several companies.' 12 C. & F. 440,

"It is clear from this, that, in leaving the two towns and the 7,000 acres undivided, the two Commissioners were not thinking of limiting the trusts to this portion of the Royal Grant, but merely of the practical inconvenience of letting that important district, involving the command of the approach by sea, go from under the direct control of the Irish Society. Whether this reasonable explanation of the reservation of the undivided lands be the true one or not, it is at least certain that not a word in the records of that transaction contains a hint of an intention to restrict the satisfaction of the public trusts and obligations, now by the Skinners' case declared to exist, to any one particular portion of the lands granted.

"34. This would plainly appear to have been the view of Lord Langdale, in the judgment afterwards affirmed on appeal by the House of Lords. 'I am of opinion,' said Lord Langdale, 'that the powers granted to the Society, and the trusts reposed in them, were in part of a 'general and public nature, *independent of the private benefit of the companies of London*, 'and were intended by the Crown to benefit Ireland and the City of London, by connecting 'the City of Londonderry and the Town of Coleraine, *and a considerable Irish district*, with 'the City of London, and *to promote the general purposes of the plantation, not only by 'securing the performance of the conditions imposed on ordinary undertakers*, but also by 'the exercise of powers and the performance of trusts *not within the scope of those 'conditions*.'

"35. If this judicial decision, and this foundation for the decision, be sound, as we are bound to take them to be, then your Committee are irresistibly forced to the opinion that the trusts and obligations which are now undeniably declared to have been imposed upon the Irish Society, equally affect and are equally binding upon the companies who took from that Society.

"36. It is true that the conveyances of the lands to the companies contained no declaration of trusts; but then no more did the grant of the lands by the Crown to the Irish Society contain any declaration of trusts. And yet no one since 1845, has denied that the Irish Society holds the undivided lands under public trusts and obligations. This argument, therefore, from absence of express declaration of trusts, is of no weight.

"37. It is true also, that the companies have pretty uniformly denied the existence of all binding trusts. But then, up to the filing of the Bill in Chancery by the Skinners, the Irish Society took the same view of their position in respect of the public, as is still taken by the companies. Yet that view the courts pronounced to have been for upwards of 200 years a mistaken view. The mere fact, therefore, that the companies have for 250 years regarded their contributions for public objects as purely voluntary, is no ground for inferring that the courts would support that construction of the instruments.

"38. An opinion of the late Sir George Jessel was handed in, to the effect that the companies were absolute owners, but from his giving no reasons, and from his brief consideration of the subject, no decisive weight can be attached to it.

"39. Your Committee are of opinion that the moneys paid by the individual members of the companies, in obedience to a compulsory levy by the Common Council, were of the nature of a tax, and were not a price by way of purchase. They are led to this inference, among other considerations, by the language used in the Licence in Mortmain (1615). That instrument recites that the companies disbursed, expended, and bestowed their money, not as ordinary purchasers, but in testimony to their true obedience to the King, and for advancing his desires in furthering the works of plantation; and in the same recital the willingness and intention of the companies to be at further charge, is evidently mentioned as one of the considerations of the license.

Appendix, 478.

"40. Again, in the same license, the Irish Society are authorised to alienate such and so much of the lands as the society 'may be willing from time to time.' This discretion cannot be reconciled with the contention that the original monies levied on the companies constituted a purchasing price.

Appendix, 479. Line 1.

"The City, moreover, undoubtedly, after the grant of the lands, levied money on the companies for the purpose of the plantation, and on other occasions applied to the companies themselves for voluntary contributions. This is obviously inconsistent with the position that the companies had paid a price once for all in 1627.

"According to a former master of the Skinners' Company, a sum of 120,000 *l.* was levied upon the companies in respect of the plantation in Ireland.* Some doubt was thrown upon the object of this levy, but if that were what Mr. Saunders affirmed it to be, then such a circumstance would seem to show that the companies were not purchasers of the lands granted to them, and that the conveyances by the Irish Society did not discharge the companies of further liabilities, as if they had been either by purchasers for value or private undertakers.

* Saunders, 5444.

"Your Committee, in fine, are unable to discover any better grounds for placing the companies in the position of purchasers or of private undertakers, than those which the courts declared not to be valid grounds for regarding the Irish Society as representative of purchasers or private undertakers.

"41. For many years past those interested in the solution of these questions were anxious to have them determined through the judgment of a competent tribunal. The cost, however, of such proceedings would be so formidable, and the interest of any individual so slender, while the interest of the companies is so great, that it is not surprising that no action has ever been taken. But your Committee are of opinion that a *primâ facie* case exists for the proposition that, inasmuch as the courts have declared that public purposes are permanently attached to the lands preserved by the Irish Society, permanent public objects still follow the lands conveyed by the Irish Society to the companies, and the proceeds of the sale of such lands.

"42. In a matter of such gravity your Committee consider that the intervention of the Attorney General is required. Meanwhile, the conclusions established by the Royal Commission on the companies presided over by Lord Derby (1882–84), in respect of the endowments of the City Companies generally, appear to be entirely applicable to the portion of those endowments existing in Ireland. It would be unjust to exclude the Irish tenants of the companies from the benefits of the policy of Land Purchase, but it is indefensible to allow the vendors, by means of the Purchase Acts, to divest themselves of all the great local responsibilities peculiarly attached to their Irish estates. Your Committee consider that the proceeds of the sales constitute a fund, the benefits of which should, in conformity to the principles of the Commission of 1882–84, accrue wholly for purposes and objects described by Lord Langdale as 'territorial,' that is to say, local and Irish."

DRAFT REPORT, proposed by Sir *William Marriott*, read the first time, as follows:—

"1. THE immediate occasion for the inquiry which your Committee has been appointed to conduct arises from the sale by certain London Companies of their estates in Ireland, and from the probability that this example will be followed by remaining Companies. These transactions have brought into immediate and practical prominence two questions of great importance. Do the

the London Companies hold the Irish estates vested in them subject to trust capable of being enforced in a court of law? Secondly, if no legal trusts are imposed by the instruments in which the Companies found their title, did earlier documents, or did attendant circumstances, attach to the possession of these estates obligations of such a kind that, though not enforceable in a court of law, it would be proper for Parliament to take cognisance of them?

"2. The task of pronouncing with decisive authority upon the legal construction of the charters and instruments referred to us can plainly only be performed by a judicial tribunal. Your Committee understood their province to be to hear a full statement from the parties concerned of the various positions maintained by them, to collect the arguments by which those positions were supported and defended, and finally to report to the House whether or not a *primâ facie* case had been established by those who insist that the grant of the estates was coupled with public purposes and trusts in Ireland, independent of the private benefit of the Companies, and independent of the destination of the general funds of those Companies in England.

"3. It is not necessary to set out at length the history of the acquisition of their possessions in Ireland by the Irish Society and the City Companies. In an Appendix to this Report will be found a detailed statement of the facts affecting them, and of the reasons which have guided your Committee.

"4. The Committee have heard evidence from persons in official positions, and from ministers of religion and others, interested in the prosperity of Londonderry, Coleraine, and the region round about. The effect of this evidence concerned, first, the Irish Society, and, secondly, the London Companies.

"5. With regard to the Irish Society, it was not disputed that the bulk of the revenues under their control have been during the last 70 years, that is to say, since the decision of the House of Lords in the case of The Skinners' Company *v.* The Irish Society, and still are disbursed for public purposes of a beneficial character in the settlement. Suggestions were made, but scarcely pressed, that the cost of administration might be reduced. Suggestions were also made that a local governing body should be substituted for the Society as now constituted, but on this point the witnesses were not unanimous.

"6. As to the Companies, the evidence amounted to this, that if they are to be regarded as the absolute beneficial owners of their estates, their benefactions in the districts where their respective estates are or were situated, have been liberal, but if they are to be regarded as trustees for public purposes of the rents and profits of their estates, and the proceeds of sales, then their benefactions have fallen short of what ought to be required of them.

"7. The evidence given on behalf of the Irish Society and the Companies consisted, in the first place, of accounts, and in the second place, of deeds and documents.

"8. In order to enable the Committee to appreciate the exact position taken up by those who allege the existence of trusts and obligations, and the counter-position taken up by the Irish Society and the Companies, counsel were heard on both sides, and to avoid any question as to their cases being duly represented to Parliament, the Committee permitted the addresses of counsel to be printed with the evidence.

"9. The first question your Committee has to decide is whether the Companies have a right to alienate. It appears that the sales which have taken place are:—

Haberdashers	about 1675	Salters	about 1885
Merchant Taylors	„ 1728	Fishmongers	„ 1886
Goldsmiths	„ 1730	Skinners	„ 1886
Vintners	„ 1737	Ironmongers	„ 1889
Clothworkers	„ 1871	Drapers	„ —
Grocers	„ 1872		

"With respect to the sales since 1885 in all these cases the title of the Companies to sell has been approved by the Land Commissioners who had to sanction the advance of public money on the security.

"10. No objection seems to have been raised to the Companies selling or alienating till the year 1871. Then the Clothworkers' Company contemplated a sale to Sir Hervey Bruce, and before it was carried out it was objected to by their tenants, who took great trouble in attempting to prevent it. A deputation of the tenants came to London and presented memorials to the Clothworkers' Company, and to the Merchant Taylors' Company, who, in the case of this property, were associated with the Clothworkers' Company, and to the Irish Society, not objecting to the Company's power of selling, but complaining of their selling to Sir Hervey Bruce without giving the tenants (who they declared would give a higher price) the refusal. The deputation was supported by a resolution of the Coleraine Town Commissioners approving of the tenants' memorial. Previously to this the farmers on the estates of all the Companies had memorialised Mr. Chichester Fortescue, then Chief Secretary for Ireland, to inquire of the Companies whether they would be disposed to sell their Irish estates on the terms of the Irish Land Bill then before Parliament.

"11. The Clothworkers' Company replied to these memorials by stating that their negotiations with Sir Hervey Bruce had gone too far to allow them honourably to draw back.

 "12. Thereupon

"12. Thereupon a case was prepared and laid before the then Solicitor General, the late Sir George Jessel, for his opinion, together with a copy of a memorial intended to be submitted to Mr. Gladstone, then Prime Minister. The case states that the action of the Government would depend very much on the answer to the question whether the Crown had a right to intervene and stay the sale of the estate to Sir Hervey Bruce, and also that the Government would be disposed to go the full length they could to arrest the sale. All the documents relied upon by Mr. Walker and Mr. Lea in pleading before us, the case of the tenants were laid before Sir George Jessel, including the Skinners' Company's case.

"13. The questions asked of Sir George Jessel were, (1) 'Whether the Crown by the 'Attorney General has the right to interfere in the sale of this property by the Clothworkers' 'Company, and if so, whether counsel would advise a Bill by information at the suit of the 'Attorney General to be filed.' This question Sir George Jessel answered in the negative; (2) 'Whether the Clothworkers' Company can appropriate to their own uses in the City of 'London the entire purchase-money without reserving any portion of it for the public use of 'the plantation in Ireland.' This question he answered in the affirmative; (3) 'Whether the 'Clothworkers' Company are trustees for any public general purpose connected with the 'plantation of Ulster, or for any other public purpose in the City of London or County of 'Londonderry.' To which the answer was, 'I answer this in the negative. I am of opinion 'that the Clothworkers' Company were in the same position as individual undertakers in the 'other settled counties, that is, they are ordinary owners in fee-simple, subject only to the 'reservations expressly contained in the conveyance to them, and can therefore, like other 'owners of fee-simple, sell their own property for their own benefit to whom they please.'

"14. It was stated in evidence before us by Mr. Glover, that the tenants of the Clothworkers' were dissatisfied with Sir George Jessel's opinion, and laid the same case before Mr. Law (afterwards Lord Chancellor of Ireland), but without informing that gentleman of Sir George Jessel's opinion, and that Mr. Law arrived independently at the same conclusion as Sir George Jessel.

"15. No other opinions of counsel were placed before us, and there have been no legal decisions upon the points submitted to Sir George Jessel and Mr. Law.

"16. In face of such opinions, your Committee cannot see that the London Companies hold their Irish estates vested in them, subject to trusts capable of being enforced in a court of law, nor can they say that any earlier documents or attendant circumstances attach to the possession of these estates obligations of such a kind that, though not enforceable in a court of law, it would yet be proper for Parliament to take cognisance of them.

"17. As to the Irish Society, your Committee are of opinion that a discretionary trust is admitted on all sides, and that the practice which has subsisted during the last 70 years of devoting to public purposes the net revenues of the estates held by the Society ought not to be disturbed. There is no excessive fund, nor is there likely to be at any time in the immediate future, and inasmuch as no part of the fund is contributed by rates and taxes or any levy on the inhabitants, your Committee do not consider that any case is made out for any alteration in the constitution of the Society."

DRAFT REPORT, proposed by Sir *John Whitaker Ellis*, read the first time, as follows:

"1. THE Irish Society were incorporated and their estates in Ulster were granted to them by a Charter of King James I., dated the 29th March 1613, and confirmed by a Charter of King Charles II., dated the 10th April 1662, under the following circumstanees:—

Judgment of Lord Lyndhurst in Skinners' Company *v.* Irish Society, App. No. 1 to the Report of the Select Committee of 1889.

"2. In the early part of the reign of James I., by reason of the attainders consequent upon the Irish Rebellion, a large tract of country in Ulster became escheated to the Crown. The King being desirous of settling these lands with British and Scotch subjects, and of establishing the Protestant religion, seems to have considered that his object would be best promoted by inducing the Corporation of the City of London to take a prominent part in the scheme which is generally known as the Plantation of Ulster.

Details set forth in State Papers, 1608—1610, p. 297.

"3. Negotiations extending over a considerable period took place between the Privy Council and the Corporation of London, which terminated in certain articles of agreement, dated the 28th of January 1609 (equivalent to 1610 according to modern computation) made between the Lords of the Privy Council on the one part, and 'the Committees (*sic*) appointed 'by Act of Common Council on behalf of the Mayor and Commonalty of the City of London' of the other part.

Skinners' Company *v.* Irish, *ubi supra*.

"4. By these articles it was stipulated on behalf of the King, that the site of the city of Derry, with 4,000 acres contiguous to it, and the town of Coleraine, with 3,000 contiguous acres and an intervening district between the River Loch Foyle and the River Bann, containing about 20,000 acres, together with the fisheries of Lough Foyle and the River Bann, should be granted to the Corporation of London. They were also to have Admiralty rights along the whole range of the coast and certain other advantages. On the other hand, the Corporation undertook to build a certain number of houses in Derry and Coleraine, to construct fortifications, to provide a garrison for the fort of Culmore, and to provide the necessary funds for the general purposes of the undertaking.

"5. The

"5. The question then arose as to how the money was to be procured, and the Corporation raised it from the various Livery Companies by assessment and levy upon them in certain proportions, and these Companies raised their several contributions from their constituent members by poll. Further sums were subsequently from time to time raised in a similar manner, amounting in the whole to a very large amount.

Mr. Durie Miller's Evid., p. 11 of Report of 1889, Question 263.

"6. A proposal was then made by the Corporation of London that they should assign over to the Livery Companies the whole of the territory between Lough Foyle and the River Bann, and which was accordingly divided between them in satisfaction of the amounts advanced to the Corporation to enable them to complete the plantation. Apparently all the Companies, with the exception of two, accepted the offer, and the share of these two became vested in the Corporation of London. In the year 1613, the Charter above referred to was granted. It gave very large powers of control to the Irish Society, and in particular a power for them 'to direct, 'constitute, and ordain for and on the part of the Mayor and Commonalty and Citizens of our 'City of London, in our Kingdom of England, all and singular things which, for, or concerning 'the plantation, supply or establishment, constitution and government of the aforesaid City of 'Londonderry, and of all other the lands and tenements hereunder in these presents mentioned 'to be granted shall seem to be most profitable and expedient, and also to send orders and 'directions from this Kingdom of England into the said Realm of Ireland by letters or other-'wise for the ordering, directing, and disposing of all and all manner of matters and things 'whatsoever of or concerning the same plantation, or the disposition or government thereof.' It also made a grant of the whole County of Londonderry to the Society with the fishings of the Bann and Lough Foyle and certain advowsons and other rights and franchises. The Society were bound by the terms of the Charter to convey certain lands to the Bishop and Dean of Derry, and to keep a Ward in the Castle of Culmore. The Charter also created a Port, and granted Admiralty rights and other privileges, and gave to the Society the right to create Manors, and *to grant by Copy of Court Roll or otherwise for any estate and at any rents whatsoever* and to hold Courts.

"7. This Charter constitutes the County of Londonderry, the City of Londonderry, and the Town of Coleraine, incorporates the City of Londonderry with a Mayor and other usual officers, and a power of making bye-laws subject to the approval of the Irish Society.

"8. In the year 1662, Charles II., in consequence of proceedings which had taken place in the Court of Star Chamber, granted to the Irish Society a new Charter, which, after reciting a promise of restitution by Charles I., went on to say that the King intended to replace the parties in their former position, precisely in the same way as if nothing had been done. The new Charter then purports to re-incorporate the Irish Society, and to convey and confirm its estates, and to carry out the stipulations and conditions of the first Charter so far as they were applicable, having regard to the lapse of time, precisely in the same way as if nothing had been done. Thereupon the Society re-granted their lands to the Livery Companies as before, and from the date of that Charter (1662) up to the year 1845 the Irish Society held possession of the lands other than those conveyed by them to the Livery Companies, and applied the rents and profits in the County of Londonderry for the building and repairing of churches, chapels, public schools, the payment of schoolmasters, the building of bridges and fortifications, the general defences of the country, and a variety of other public objects; and, after satisfying these objects, they paid over the surplus to the different Livery Companies, according to the proportions of their several contributions.

Judgment of Lord Lyndhurst, Skinners' Company *v.* Irish Society, *ubi supra*.

"9. Your Committee have been spared any great research as to the trusts and obligations attaching to the ownership of the estates held by the Irish Society, owing to the fact that these questions have been decided by the House of Lords on appeal in the case of the Skinners' Company *v.* the Irish Society, which is fully reported in Vol. 12 of Clarke and Fennelly's House of Lords' Reports. The judgments of the learned Lords who decided that case are fully set forth in Appendix No. 1 to the Report of your Committee, made in the Session of 1889.

App. No. 1 to Report of Committee of 1889.

"10. Your Committee consider that the trusts and obligations imposed on the Irish Society cannot be better summed up than they were by Lord Lyndhurst (then Lord Chancellor) in the following passages extracted from his judgment:—

"'The remaining question to be considered, so far as relates to the duties of the Corpo-'ration, that is the Irish Society, is, have they a discretion with respect to the manner in which 'they shall discharge their duties, the extent to which they shall be carried out, and the objects 'to which they shall be applied? My Lords, by the very terms of the Charter, by the very 'terms by which they themselves are constituted a Corporation, they are to do for the purposes 'of the government what they shall consider meet and expedient; they have a discretion 'therefore directly vested in them, but, my Lords, it is unnecessary to refer to the words of 'the Charter for that purpose; the very duties they have to perform import discretion. If 'they have authority to superintend and govern (and they were established for that purpose), 'if they have authority to superintend and govern and make laws and ordinances for the 'purpose of superintending and governing this district, of course they must have a discretion 'as to what objects it shall be applied to, and in what manner that power shall be exercised. 'My Lords, the result of all these observations is this, that the objects are public and impor-'tant; and they were constituted for the purpose of carrying those objects into effect; that 'those objects are still in existence, that the funds of this district are applicable to those pur-'poses, that they have a discretion to exercise as to what extent they will apply those funds,

App. No. 1 to Report of Select Committee of 1889, p. 43.

, p. 44.

'and to what objects. * * * * Now my Lords, if that be so, the conclusion I come to appears 'to me to be irresistible; they are public officers, they have public duties to perform of an 'important kind. By the terms of the Charter of Charles II.; independently of any general 'reasoning, this property is given to them for these very purposes; they have applied it for 'these purposes; after they have satisfied the purposes, which purposes are entirely in their 'discretion, they have been in the habit of paying over the surplus funds in round sums, I think 'it is stated, but, however, they have paid over the surplus funds to the different Companies in 'proportion to their original contributions, but that depends entirely on the will of the Society, 'I mean as to the amount. They are to exercise their judgment as to what is necessary for 'the performance of their public duties, and after they have satisfied these duties, after they 'have applied to public objects what, in their judgment—is the fair exercise of that judgment— 'is necessary for those objects, then it is, and then only, that the surplus which remains, subject 'to their discretion, has been usually paid over to the Companies. Now it is perfectly clear, 'therefore, in this state of things, that they cannot be considered as trustees for the private 'benefit of the Companies. If they are public officers, and have in any respect neglected their 'duty, they are liable to account, but they are not liable to account to the Companies. They 'may be liable to account to the Crown; they may be liable to account for misconduct to the 'Corporation of the City of London; they are elected by the City of London; they are half of 'them removed every year; the City of London can exercise a control over them; if they 'misconduct themselves, they can be restrained and kept in order by the authority of the City 'of London, or by the authority (if these are public objects) of the Crown, but they are in no 'respect, as it appears to me, amenable to the private Companies for the manner in which they 'discharge their duties.'

"11. Ever since this decision the Society have exercised the unfettered discretion which was given to them by their Charter, by spending the whole of their income (after paying expenses) for public purposes in the County of Londonderry, and have never paid any monies whatever to the Livery Companies.

"12. With regard to the mode in which the sales of the Irish Society's estates have been effected, or can be effected consistently with the aforesaid trusts and obligations, it appears that the greater part of the estates of the Society were, as hereinbefore mentioned, divided amongst the various Livery Companies even before the Charter of James I., and were subsequently conveyed to them after they had obtained licenses to hold lands in mortmain. No doubt these conveyances were cancelled by the proceedings in the Star Chamber, yet having regard to the fact that those proceedings were declared illegal by Parliament by a Committee of this House, and also having regard to the terms of the original Charter, and to the fact of the confirming Charter of Charles II. and the immediate re-grants to the Livery Companies, and to the fact that licenses in mortmain were granted to the Companies to enable them to hold these lands, your Committee do not consider that it is now possible to question the validity of the conveyances to the various Livery Companies.

vidence, Mr. urie Miller, in 89.

"13. With regard to the residue of the estates of the Irish Society, they consist of between 7,000 and 8,000 acres in the County of Londonderry, of which about 4,000 are situate in and around the City of Londonderry, 3,000 in and around the Town of Coleraine, and the residue (which were purchased from the Crown in September 1861) at Culmore.

vidence, 1890: r. Montgomery, 93–5.

r. Magee, 2774.

r. Montgomery, 895–902. r. Magee 2792.

"14. Of the lands in the City of Londonderry, it is stated that nine tenths were in the eighteenth century granted to divers persons on perpetuity leases, but the Society discontinued to grant these leases because (as was admitted by a witness who made complaint as to this discontinuance) it was found that those who had perpetuity leases incumbered their lands in such a manner as to prevent their being properly and economically developed. In recent years, however, this difficulty has been to a great extent removed, and under the governorship of Sir John Whittaker Ellis, perpetuity leases have again been granted on stricter conditions as to building improvement and otherwise, and also in such small areas as to prevent the property getting into the hands of middlemen, under whose ownership it was found the property greatly deteriorated.

r. Eccles, 2088.

"15. It was also stated that the greater part of the Society's property in Coleraine was held on perpetuity leases.

"16. The Society has also sold considerable portions of its property to tenants when found to be in the interest of all parties to do so.

"17. With regard to the administration by the Irish Society of its property, your Committee heard a considerabla number of witnesses, from whose evidence we conclude that the administration by the Society is at present generally satisfactory and popular. No one contested the legal right of the Society to apply their income as they are at present applying it; and although many of the witnesses suggested what they considered improvements, they were by no means unanimous, and in many instances were obviously swayed by their personal predilections. The only point upon which they were unanimous, was in the demand that the property should continue to be administered exclusively for the benefit of Derry and Coleraine and the County of Londonderry. Many of the witnesses called before us, however, made divers

divers specific complaints which your Committee think it right to deal with, and which may be broadly divided into seven clauses, viz.:—

"(1.) That the Society had retarded the development of Londonderry and Coleraine by refusing to grant perpetuity leases.

"(2.) That the Society were in the habit of frittering away their funds in small grants to a variety of charitable and religious, or educational objects, instead of applying it *en bloc* to some great public undertaking. Evidence of 1890: Dr. Todd, 3097, 3099, 3187, 3274. Lord Justice Fitzgibbon, 1505, 1531.

"(3.) That the Episcopal Church was favoured, and, in particular, that the Roman Catholic community shared but little in the Society's bounty. Rev. E. Loughrey' 4575, *et seq.*

"(4.) That the establishment expenses of the Society were too great. Dr. Todd, 3094, Mr. Baxter, 2192.

"(5.) That jobbery had taken place in relation to the granting of leases. Sir W. Miller, 2322, 2332, and 2483–2489.

"(6.) That the members of the Society only hold office for two years, and

"(7.) That it is anomalous that a fund which is to be devoted exclusively to Irish purposes should be administered by a body of gentlemen residing in London. Lord Justice Fitzgibbon, 1635. Sir Wm. Miller, 2334–2335.

"18.—(1.) As to the first of these complaints, as above stated, nine-tenths of the Society's property in Derry was in fact granted on perpetuity leases in the two last centuries, and four-fifths of the Coleraine property was held on a similar tenure. It was also admitted by witnesses generally hostile to the Society that under the present governorship of Sir John Whittaker Ellis not only are perpetuity leases freely granted in proper cases and under proper conditions, but the lessees are allowed to purchase the fee-farm rents, so as to convert their holdings into fee simples. Whatever, therefore, might have been the case during the first half of the present century, when the granting of perpetuity leases was suspended for ample reasons, there seems to be no real cause for complaint on this head at the present time. Mr. Magee, 2752, 2769. Mr. Eccles, 2088. Rev. D. Wilson, 342. Mr. Baxter, 2223.

"19.—(2.) With regard to the allegation that the Society are in the habit of frittering away its resources, it appears that the Society does in fact make numerous small grants of 5 *l.*, 20 *l.*, 30 *l.*, and 50 *l.*, and other larger amounts, to various charities, associations, schools, and churches; and it further appears that the Endowed Schools Commission of 1854–1858, recommended that 'all the funds devoted to education under the Charter of the Irish Society should 'assume a definite form, and be placed under a system of efficient management; and with this 'view that the scattered funds of the Society should be secured for, and concentrated on a 'limited number of endowed schools on this foundation in the County of Londonderry.' Since this report was made, however, circumstances have greatly changed; and had this recommendation been carried out, the Society would have now been justly accused of devoting their funds exclusively to the education of the middle classes instead of to that of the poor. In the first place, primary education is now held to be of very much greater importance than formerly, and it is of course obvious that schools for primary education cannot be concentrated, as may be done in the case of intermediate schools. Moreover, the Irish Society have since 1858 quite sufficiently concentrated their efforts, so far as intermediate schools are concerned, and have more than doubled their expenditure on education, the average annual amount now being upwards of 3,000 *l.*, and in some years very considerably in excess of that sum. The two intermediate schools to which the Society give the greatest support, are Foyle College (which is in the main an Episcopalian school) and the Londonderry Academical Institution (which is mainly Presbyterian). At one time the Society made an annual grant to Foyle College of 110 *l.* 15 *s.* 4 *d.* only. This was subsequently increased to 480 *l.*, but in 1877, the school being in a very depressed state, the Society came to its rescue, and agreed to pay 850 *l.* for two years, thenceforward reducing the payment by 50 *l.* per annum until it reached 500 *l.* per annum, at which sum it has remained. Lord Justice Fitzgibbon candidly admitted that this school has since been very successful, and is now getting on extremely well. The Society in addition to the 500 *l.* for the Head Master's salary, give considerable sums to Assistant Masters and for the repair of the building. Sir W. Miller, 2500. Lord Justice Fitzgibbon, 1505. Lord Justice Fitzgibbon, 1350. Lord Justice Fitzgibbon, 1367. Lord Justice Fitzgibbon, 1363–1373, 1376. Lord Justice Fitzgibbon, 1374–1377. Lord Justice Fitzgibbon, 1398.

"20. With regard to the Londonderry Academical Institution, it was originally established by voluntary effort on the part of the inhabitants, but has been largely supported by the Irish Society. The Society also entirely support a free primary school of their own at Coleraine, which has an attendance of upwards of 600 pupils. Generally it appears that the Society subscribes on the average about 1,500 *l.* per annum to schools under Episcopalian management, and about 1,500 *l.* to schools under the management of Presbyterians and other Protestant sects, including the Londonderry Academical Institution, Magee College, and the Coleraine Academical Institution (which was described by Lord Justice Fitzgibbon as one of the best schools in Ireland). Lord Justice Fitzgibbon stated that although the Society gave money to the governing bodies of divers schools, they themselves were unable to see to their application. This, however, is not so. The Lord Justice frankly admitted that the most efficiently managed schools in Ireland are those managed by local bodies, and the whole of these schools are conducted and managed by local and resident committees or governors. Your Committee do not think that there is much force, therefore, in the remark of the Lord Justice, as the Society's schools and all other aided Institutions are so managed, subject only to an annual useful supervision and control by the Society. Lord Justice Fitzgibbon, 1369. Lord Justice Fitzgibbon, 1399. Mr. Montgomery, 6996–7001. Lord Justice Fitzgibbon, 1409, 1505, and 1528, and 1663. *Ib.*, 1409.

"21. With regard to other public undertakings, the Society have from time to time made very liberal grants where the occasion justified liberality. The following instances may be quoted as illustrating this: They erected the Cathedral at Londonderry, and recently largely

contributed towards the cost of its restoration: they granted 4,000 *l.* for the Londonderry Water Works; 40,000 *l.* (*i.e.* one moiety of the whole sum required) for freeing Derry Bridge; and a large sum for providing a Guildhall for the City of Londonderry, and converting the old Hall for the purposes of Technical Education. They also granted 1,000 *l.* towards the erection of a Town Hall at Coleraine; 2,000 *l.* for the restoration of the Church; 1,000 *l.* towards a Cemetery there; 2,500 *l.* towards providing that town with water, and 37,240 *l.* for improving the navigation of the River Bann.

Sir W. Miller, 2316–2319. Mr. Eccles, 2068–2082–3.

Mr. Eccles, 2065–2067.

"22. On the whole, your Committee, having regard to the fact that the Society have been able, partly by raising money under the authority of Parliament, and in others ways, to make these large grants when the occasion presented itself, do not consider that the giving of the numerous small sums to divers deserving religious and charitable objects is a 'frittering away' of the Society's funds. Moreover, these donations are of such a character as would usually be given by a resident landlord owning property of a similar nature to that held by the Society, and although given in small amounts they afford considerable assistance to the donees, and so encourage a great deal of modest but substantial good to be done by voluntary effort, and there can be no doubt that if they were stopped considerable injury would be done to the county of Londonderry, and dissatisfaction would be felt throughout the district and much good work cease.

Rev. Dr. Smyley, 6482–6486. 6564–6567. Rev. Dr. Ross, 6684.

"23. Your Committee also desire to point out that the only method of preventing the giving away of the Society's funds to numerous small objects, would be to change the wide discretionary trust now vested in the Society into an express trust for some defined object or set of objects which might or might not eventually have a good result. The fact that the discretion given to the Society has enabled them to give effective assistance to such diverse public objects as the freeing of Derry Bridge, the improvement of the Bann, the re-establishment of Foyle College, and the supply of water to Londonderry and Coleraine, seems to prove that the elasticity of the present trust is extremely useful and could not be taken away without serious injury to the public interests of Londonderry and Coleraine, and without stirring up very considerable discontent in the district.

Rev. Dr. Smyley, 6489.

Mr. Eccles, 2055–2057. Mr. McCormick, 3729.

"24.—(3.) With regard to the complaint that little or none of the Society's money goes to assist the Catholic population, it is doubtless true that the Society do not generally give support to Roman Catholic Churches, for the simple reason that their Charter states that one of the objects for which they were formed was to spread the Protestant religion. It appears, nevertheless, that for some eight or nine years the Society have subscribed 129 *l.* per annum to the Catholic College known as St. Columb's College, and have assisted other schools and objects in which the Roman Catholics are primarily interested. It is not, however, true that the Catholic population get no benefit from the funds, as they, equally with the Protestants, get the benefit of the contribution of over 1,200 *l.* per annum, which the Society make towards the general expenses of the Corporation of Londonderry, and of the various contributions to harbours, waterworks, bridges, and other public works which the Society are accustomed to make. Moreover, the Primary Schools of the Society are conducted on the Irish National School system, and are open to children of all religious denominations.

Rev. E. Loughrey, 4582.

Sir W. Miller, 2323.

"25.—(4.) With regard to the establishment expenses, these may perhaps seem a somewhat large percentage on the income of the Society, but it must be borne in mind that the estates of the Society are split up into numerous small holdings, the majority of which are held upon fee farm rents, and that consequently the expenses of collection and management are necessarily high; and we would further remark that the greater portion of the rents were fixed many years ago, and are, in fact, ground-rents far below the present value of the ground. Complaint was made of the cost of the annual visitation of the Society to Londonderry and Coleraine, and particularly of the cost of a dinner given at each of these places to the chief tenants and other residents. It appears, however, from the evidence that this expenditure is not unpopular in the district. One witness who considered the Society's expenses to be high, when asked whether he would stop these entertainments, replied 'I do not know, the Irish are very fond 'of hospitality.' It may be mentioned that the Mayor of Londonderry gives a return dinner.

Mr. Montgomery, 7061.

Sir W. Miller, 2670.

"26. It must not be forgotten too that most of the money is expended in the locality, and the general agent of the Society being resident in Londonderry, takes the place of a resident landlord, and generally the local trade is thereby benefited.

"27. Your Committee, therefore, while recommending that a wise economy should be observed by the Society, are not prepared to say that the establishment expenses are such as can reasonably be objected to, nor is it probable that a differently constituted body would administer the property with greater economy.

Mr. Ballantine, 3819, 3824, 3886.

"28.—(5.) The allegation of jobbery was made by a Mr. Ballantine, a builder and contractor at Londonderry. He was at first unable to give any case in support of it, and admitted that it was grounded only upon general conversations in society in Derry.

Jb., 3966, 3967.

29. He, however, subsequently made a specific allegation that a former agent of the Society procured the grant of a lease to his father-in-law at a scandalously low rent.

Mr. Moore, 6880. Sir W. Miller, 2460.

30. This story was, however, in the opinion of your Committee, completely negatived by the evidence of Mr. Moore, J.P., of Londonderry, and your Committee are satisfied that no case of jobbery was proved.

"31.—(6.) As

"31.—(6.) As regards the allegation that it is a disadvantage for the members of the Society to retire from office at the expiration of two years. This is a matter of opinion, but as the Governor is practically elected during good behaviour, he is able with the assistance of those members serving for the second year, and the aid of the permanent officers, to ensure a continuity in the administration of the Society's affairs.

"32.—(7.) With regard to the contention that it is an anomaly that the funds of the Irish Society should be administered by a body of English gentlemen residing in London, and that consequently the Society ought to be dissolved, and its property vested in a body of local, or, at all events, Irish trustees, your Committee find that this view is by no means universally entertained in the district. It was by the means of the City of London that the plantation of Ulster was originally formed, and without the protection, both military and civil, afforded by the City of London, the prosperous, loyal, and industrious inhabitants of the Province of Ulster would, in past times, have been driven out of the country, and it is not unreasonable that the association of the City of Londonderry and the town of Coleraine should be maintained with the City of London to whom they owe so much. Dr. Todd, a local solicitor, and Mr. Ballantine, a local builder, were two of the chief witnesses who desired to see the Society destroyed, but it is very questionable whether their view that no more of the money ought to be devoted to religious purposes would be popular among the Protestant community of Londonderry. The suggestion that the fund should be divided and part devoted to educational purposes, and part to purposes connected with local improvement, and that the latter part should be handed to the Corporation of Derry, was stoutly opposed by many witnesses, who criticised the Society in no friendly spirit. For instance, Mr. Baxter, who was Mayor of Derry in 1890, in answer to the question whether the property would not be better managed by Irish trustees, answered, 'Some are of opinion that it would be and others not,' and being further pressed on the point by Mr. Sexton, said, 'We are satisfied with the manner in which the Society of late have 'been managing and distributing the trust.' Further on this witness, in answer to other questions, stated that he was not quite sure whether the trust could be better managed in Ireland than in London, and that it would very much depend upon the parties appointed. Sir William Miller, who has been five times Mayor of Derry, and who appears to have had great experience of the district, and who keenly criticised the Society's management, stated that he 'was not prepared to advocate the change to local trustees,' giving as his reason that 'local pressure might be brought to bear on them to do things that they should not do,' and that local management might be liable to abuses.

Dr. Todd, 3091–3092. Mr. Ballantine, 4022. Dr. Todd, 3111. Mr. Baxter, 2273. *Ib.*, 2274 & 2289. *Ib.*, 2302–2304. Sir W. Miller, 2423–2553, 2701. *Ib.*, 2677.

"33. Mr. Magee again, who has been for eight years a member of the Corporation of Derry, and who gave evidence generally hostile to the Society, stated that he would not approve of the funds being placed in local hands, being apparently afraid that local influence might beget corruption of a serious kind. Being further pressed on the point he said, 'With money 'like this, and remember this is the case of money, a lot of which is given away in charity, the 'lives of the members of the local body would be pestered to death if they had the adminis-'tration of it themselves.' Further on he added, that he now thought that it was a great advantage to have the management in the hands of the Society, and that their administration was at present very satisfactory.

Mr. Magee, 2765, 2829. *Ib.*, 2767–2768. *Ib.*, 2831–2856. Mr. Magee, 2860. *Ib.*, 2862.

"34. The Very Reverend Dr. Smyley, Dean of Derry, gave a very favourable account of the administration by the Society, and when asked whether he would like to see the control of the property placed in the hands of trustees appointed by the Lord Chancellor of Ireland, replied, 'That would be better than anything connected with the locality, but I do not see 'why there should be any change from what there is now, except that the members of the 'Society should be appointed for a longer period than two years.'

Dr. Smyley, 6460–6487, 6463.

"35. He further added, in answer to the suggestion that the trust might be confided to gentlemen resident in Derry, that if the interrogator knew the county of Derry he would know that there are very few resident gentlemen who would undertake it, and that he was perfectly certain that the general feeling throughout Derry would be not to have a local body.

Rev. Dr. Smyley, 6543. *Ib.*, 6528.

"36. The Rev. Dr. Ross, an ex-Moderator of the Presbyterian General Assembly, gave similar evidence, saying that if the members of the Society were appointed for a longer period than two years, he would 'unhesitatingly prefer the Irish Society' to a body of trustees in Ireland, adding, 'there is a very considerable amount of uncertainty as to the possibility of 'finding a body that would be in a position of sufficient independence of local influences '. . . . and I am most uncertain whether the funds could be administered as well by 'a local body as they have been and are being administered by the Irish Society at the present 'time.'

Rev. Dr. Ross, 6617–6629. *Ib.*, 6649. *Ib.*, 6661.

"37. Even the Rev. Dr. Brown, a Presbyterian minister of Limavady, who exhibited considerable dislike to the Society, admitted that if the 'Irish Society improve as they have 'been doing the last 25 years, we would not wish to see it disendowed and disestablished.'

Rev. Dr. Brown, 678.

"38. On the other hand, Dr. Todd described the Society as an unpopular and obsolete body, which ought to be dissolved, and that so much of its property as is required for the administration of the City of Derry should be in the hands of the Corporation, and so much as is applied to educational purposes and to purposes of general public utility outside that City, should be put in the hands of a body of trustees.

Dr. Todd, 3091–3092. *Ib.*, 3111.

Mr. Ballantine, 3850, 3854, 4008, 4010. *Ib.*, 3852. Mr. Hamilton, 1475.

"39. Mr. Ballantine entertained similar views, with the exception that the funds ought to be devoted to streets and buildings, but even he hesitated as to vesting the property in local trustees, and entirely objected to handing it over to the Corporation of Derry, while Mr. Hamilton, the secretary of Londonderry Port and Harbour Commissioners, thought that the funds of the Society could not be better spent than in paying off the harbour debt of 180,000 *l.*

Rev. E. Loughrey, 4694.

"40. The Rev. E. Loughrey, a Roman Catholic priest, was of opinion that the society 'ought to be cleared out body and bone, and sent home with a benediction.' He, however, added, 'but they will not take the property with them if you please. We want that to be 'managed by some well-established arrangement.'

"41. Having regard to the fact that one of the main objects for which the Society was formed was to spread the Protestant religion, the views of this witness are, of course, not very surprising.

Sir W. Miller. 2334. *Ib.*, 2335. *Ib.*, 2338–41.

"42. It is true that in the Report of the Royal Commission which was appointed in the year 1854, in relation to the Corporation of the City of London, a recommendation was made that the Irish Society should be dissolved, and its property vested in a new set of trustees, whose number and character should be defined by Parliament, and who should be appointed by the Lord Chancellor of Ireland. Sir William Miller, however, gave evidence that although he agreed with that recommendation up to some few years ago, he certainly had not agreed with it during the last seven years, one of his reasons being the greatly improved administration of the trust under the present Governor, and another that by reason of the modern facilities of communication, the former inconvenience of referring matters to London was now minimised, and it may be added that a trust, with its head offices in London, would be subject to the same objections.

Sir W. Miller, 2656 and 2678. Dr. Todd, 3115.

"43. It seems, too, that other recommendations of the Commission, as to a widespread user of the funds for general purposes, meets with the most unanimous and unqualified disapproval in Londonderry.

"44. On the whole, your Committee are of opinion that no sufficient case has been made out for the compulsory dissolution by Parliament of the Irish Society and the vesting of its property in Irish trustees.

Sir W. Miller. 2658.

"45. It appears to your Committee that, having regard to the fact that Londonderry and Coleraine owe their existence to the Corporation of the City of London, the onus of proving that a severance of a connection which has lasted for near three centuries (and which is admitted by Sir William Miller to have largely created peace and prosperity in the North of Ireland) is desirable, lies distinctly upon the opponents of the Society, and that they have not shown any sufficient ground for the change which they advocate.

"46. Moreover, it must not be forgotten that but for the sum of 65,000 *l.* (a sum now equivalent to upwards of 1,300,000 *l.*) subscribed by the citizens of London in the seventeenth century, the County of Londonderry, even if it existed at all, would be in a very different condition of prosperity to what it is now, and that, therefore, it is not so much of an anomaly as it seems at first sight, that the Society which cultivated and civilised the County of Londonderry should continue to administer the property which the citizens of London placed in its keeping for promoting the good of the new plantation.

Mr. Magee, 2843.

"47. Your Committee are also greatly impressed with the undesirability of vesting this large property in local trustees, and if local trustees are not to be appointed it certainly does not appear to your Committee to be either a sensible or economical arrangement that the whole existing organisation should be destroyed and the traditional connection of the Corporation of London with the County of Londonderry rudely severed merely for the purpose of transferring the administration to another body."

Motion made, and Question proposed, That the Draft Report proposed by the Chairman be read a second time, paragraph by paragraph—(The *Chairman*).

Amendment proposed, to leave out the words "the Chairman" in order to insert the words "Sir William Marriott"—(Sir *John Whittaker Ellis*).—Question put, That the words "the Chairman" stand part of the Question.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Colonel Laurie.
Mr. Lea.	Sir William Marriott.
Mr. Sexton.	Sir Richard Temple.

Whereupon the Chairman declared himself with the *Ayes*.

Main Question put, and *agreed to*.

DRAFT REPORT, proposed by the *Chairman*, read a second time, paragraph by paragraph.

Paragraph 1.—Question put, That the paragraph stand part of the Report.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Colonel Laurie.
Mr. Lea.	Sir William Marriott.
Mr. Sexton.	Sir Richard Temple.

Whereupon the Chairman declared himself with the *Ayes*.

Paragraph 2, *agreed to*.

Paragraph 3, amended, and *agreed to*.

Paragraph 4.—Amendment proposed in line 4, to leave out from the word "Tyrconnel," in line 4, to the word "but," in line 7.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Colonel Laurie.
Mr. Lea.	Sir William Marriott.
Mr. Sexton.	Sir Richard Temple.

Whereupon the Chairman declared himself with the *Ayes*.

An Amendment made.

Paragraph, as amended, *agreed to*.

Paragraph 5.—Amendment proposed, in line 5, to leave out the word "Prospectus"—(Sir *J. W. Ellis*).—Question put, That the word "Prospectus" stand part of the paragraph.—The Committee divided:

Ayes, 8.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Lord Elcho.	Colonel Laurie.
Mr. John Ellis.	Sir William Marriott.
Mr. Elton.	Sir Richard Temple.
Mr. T. M. Healy.	
Mr. Lawson.	
Mr. Lea.	
Mr. Sexton.	

Paragraph 5, *agreed to*.

Paragraph 6, amended, and *agreed to*.

Paragraph 7.—Amendment proposed, in line 6, to leave out the words "the ordinary," and to insert the word "some"—(Mr. *Elton*).—Amendment, by leave, withdrawn.

Another Amendment proposed, in line 6, to leave out the words "and bearing on the point of public trusts"—(Sir *J. W. Ellis*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Colonel Laurie.
Mr. Lea.	Sir William Marriott.
Mr. Sexton.	Sir Richard Temple.

Whereupon the Chairman declared himself with the *Ayes*.

Another Amendment proposed, in line 9, to leave out the words "like the various trading companies which have from time to time been incorporated by Royal Charter"—(Sir *J. W. Ellis*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 7.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Lord Elcho.	Colonel Laurie.
Mr. John Ellis.	Sir William Marriott.
Mr. Elton.	Sir Richard Temple.
Mr. T. M. Healy.	
Mr. Lawson.	
Mr. Lea.	

Paragraph 7, *agreed to.*

Paragraphs 8—9, *agreed to.*

Paragraph 10, amended, and *agreed to.*

Paragraphs 11—14, *agreed to.*

Paragraph 15.—Amendment proposed, in line 4, to leave out the words "their own"—(Mr. *Elton*).—Question put, That the words "their own" stand part of the paragraph.—The Committee divided:

Ayes, 6.	Noes, 5.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Sir William Marriott.
Mr. Lea.	Sir Richard Temple.
Mr. Sexton.	

Another Amendment proposed, in line 4, to leave out the words "The rents were raised on their improvements"—(Sir *J. W. Ellis*).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived.*

Paragraph *agreed to.*

Paragraph 15*—16, *agreed to.*

Paragraph 16*, amended, and *agreed to.*

Paragraphs 17—19, *agreed to.*

Paragraph 20.—Amendment proposed, in line 20, to leave out from the words "about it" to the word "acquisition," in line 24—(Sir *W. Marriott*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 6.	Noes, 5.
Mr. Clancy.	Lord Elcho.
Mr. John Ellis.	Sir John Ellis.
Mr. T. M. Healy.	Mr. Elton.
Mr. Lawson.	Sir William Marriott.
Mr. Lea.	Sir Richard Temple.
Mr. Sexton.	

Paragraph *agreed to.*

Paragraph 21.—Amendment proposed, at the end of the paragraph to add the following words, "It is only fair to state that the amount expended by the promoters in the Plantation amounted to 63,000 *l.*, which in present value would represent a very much larger sum"—(Sir *John Ellis*).—Question put, That those words be there added.—The Committee divided:

Ayes, 4.	Noes, 6.
Sir John Ellis.	Mr. Clancy.
Mr. Elton.	Mr. John Ellis.
Sir William Marriott.	Mr. T. M. Healy.
Sir Richard Temple.	Mr. Lawson.
	Mr. Lea.
	Mr. Sexton.

Other Amendments made.

Paragraph, as amended, *agreed to.*

Paragraphs 21*, 22, *agreed to*

Paragraph

Paragraph 23.—Amendment proposed, in line 3, to leave out from the words, "Irish Society," to the words, "inhabitants," in order to insert the words, "the administration of the funds, the Irish Society has in later years been marked by greater liberality and impartiality—(Mr. *Clancy*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 7.	Noes, 4.
Sir John Ellis.	Mr. Clancy.
Mr. Elton.	Mr. John Ellis.
Colonel Laurie.	Mr. T. M. Healy.
Mr. Lawson.	Mr. Sexton.
Mr. Lea.	
Sir William Marriott.	
Sir Richard Temple.	

Paragraph *agreed to.*

Paragraph 24.—Question put, That the paragraph stand part of the Report.—The Committee divided:

Ayes, 6.	Noes, 5.
Mr. Clancy.	Sir John Ellis.
Mr. John Ellis.	Mr. Elton.
Mr. T. M. Healy.	Colonel Laurie.
Mr. Lawson.	Sir William Marriott.
Mr. Lea.	Sir Richard Temple.
Mr. Sexton.	

Paragraphs 25—29, *agreed to.*

Paragraphs 30—31.—Question put, That these paragraphs stand part of the Report.—The Committee divided:

Ayes, 5.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Mr. John Ellis.	Mr. Elton.
Mr. Lawson.	Sir William Marriott.
Mr. Lea.	Sir Richard Temple.
Mr. Sexton.	

Paragraphs 33—37.—Question put, That these paragraphs stand part of the Report.—The Committee divided:

Ayes, 6.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Mr. John Ellis.	Mr. Elton.
Mr. T. M. Healy.	Sir William Marriott.
Mr. Lawson.	Sir Richard Temple.
Mr. Lea.	
Mr. Sexton.	

Paragraph 38.—Amendment proposed, in line 1, after the words "handed in" to insert the following words:—"The questions asked of Sir George Jessel were, (1) 'Whether the Crown by the Attorney General has the right to interfere in the sale of this property by the Clothworkers' Company' and if so, whether counsel would advise a Bill by information at the suit of the Attorney General to be filed." This question Sir George Jessel answered in the negative; (2) 'Whether the Clothworkers' Company can appropriate to their own uses in the City of London the entire purchase-money without reserving any portion of it for the public use of the plantation in Ireland." This question he answered in the affirmative; (3) 'Whether the Clothworkers' Company are trustees for any public general purpose connected with the plantation of Ulster or for any other public purpose in the City of London or County of Londonderry.' To which the answer was, 'I answer this in the negative. I am of opinion that the Clothworkers' Company were in the same position as individual undertakers in the other settled counties, that is, they are ordinary owners in fee simple, subject only to the reservations expressly contained in the conveyance to them, and can therefore, like other owners of fee simple, sell their own property for their own benefit to whom they please"—(Sir *W. Marriott*).—Question, That those words be there inserted,—put, and *agreed to.*

Paragraph, as amended, *agreed to.*

Paragraphs 39—42.—Question put, That the paragraphs proposed to be left out stand part of the Report.—The Committee divided:

Ayes, 6.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Mr. John Ellis.	Mr. Elton.
Mr. T. M. Healy.	Sir William Marriott.
Mr. Lawson.	Sir Richard Temple.
Mr. Lea.	
Mr. Sexton.	

Question put, That this Report, as amended, be the Report of the Committee to the House.—The Committee divided:

Ayes, 6.	Noes, 4.
Mr. Clancy.	Sir John Ellis.
Mr. John Ellis.	Mr. Elton.
Mr. T. M. Healy.	Sir William Marriott.
Mr. Lawson.	Sir Richard Temple.
Mr. Lea.	
Mr. Sexton.	

Ordered, To Report, together with an Appendix.

APPENDIX.

PAPER handed in by Sir *William Marriott*.

1. The present county of Londonderry in which lie the estates which are the subject of the Reference to this Committee was part of a large territory comprising the greater part of the six counties of Donegal Armagh Coleraine Tyrone Fermanagh and Cavan which came into the hands of the King as forfeited by the rebellion of the Earls of Tyrone and Tyrconnell and other Ulster chiefs. So large a territory falling in at one and the same time to be disposed of afforded an opportunity of attempting an experiment of "settling and planting" on a larger scale than had been previously made. Attempts of this kind had been made at different times throughout the reign of Elizabeth but for one reason or another had not answered the expectations of the Government. Froude's Hist. of England.

2. The Ulster scheme of King James I. appears to have originated in the report of a Committee of the 20th September 1608 which however contemplated only the county of Tyrone as the field of operations. Sir John Davys proposed to extend the scheme to the whole of Ulster and this met with the approval of the King. Cal. St. Pap. Ir. 1608–1610. p. 117.

3. The King placed the matter before the public in what might at the present day be called a prospectus containing the terms offered and the conditions imposed. A copy of a document of this nature has come down to us and is entitled "A Collection of such Orders and Conditions as are to be observed by the Undertakers upon the "distribution and plantation of the escheated lands in Ulster."

4. The prospectus in whatever form it took was followed up by certain "Articles for Instructions for the "Plantation of Ulster" (as they are entitled) which prescribed the duties of the Royal Commissioners who were entrusted with the carrying out of the scheme. Mr. Walker's speech, p. 332. Skinners'Case, Resp. Appx. p. 149.

5. In the spring and summer of 1609 His Majesty determined to engage the Londoners to undertake the plantation of part of the escheated lands. Accordingly certain "Motives and Reasons" were drawn up and laid before them. They are dated 25th May 1609. A great deal of negotiation followed which resulted in a formal written agreement dated the 28th January 1610. By this agreement the Government and the Londoners were undoubtedly bound to one another. It was among other things provided by this agreement that the City should expend 15,000 *l.* on the plantation and pay a further sum of 5,000 *l.* towards the "clearing of private men's "interests" meaning by this expression the buying up of rights which notwithstanding the escheat yet remained in existence. The agreement also provides for building at Derry and Coleraine and for 4,000 acres "to be laid unto" the intended city of Derry, and 3,000 acres to Coleraine. Cal. of Pat. and Cl. Rolls. Ir. Cas, I., p. 618. Skinner's Case, App. Appx. p. 51.

6. Shortly after the date of the articles of agreement of the 28th January 1610 possession was given to the Londoners and they commenced their work. Their progress did not satisfy the King who between the date of the agreement and the date of the actual granting of the charter endeavoured from time to time to stimulate them by objurgations and threats.

7. However on the 29th of March 1613 the charter was granted incorporating the Irish Society and granting to them substantially the whole of what is now the county of Londonderry. Appendix, No. 10.

8. This charter of King James constitutes the county of Londonderry the city of Londonderry and the town of Coleraine. It incorporates the city of Londonderry with a Mayor Alderman Sheriffs a Chamberlain Chief Burgesses and a Common Council and a power of making bye-laws subject to the approval of the Irish Society. It incorporates the Irish Society giving the Corporation of London power to nominate future members thereof and to remove those members who should not behave themselves well. It gives very large powers of control to the Irish Society and in particular a power for them "to direct constitute and ordain for and on the part of the Mayor "and commonalty and citizens of our City of London in our kingdom of England all and singular things which for "or concerning the plantation supply or establishment constitution and government of the aforesaid city of "Londonderry and of all other the lands and tenements hereunder in these presents mentioned to be granted shall "seem to be most profitable and expedient and also to send orders and directions from this kingdom of England into "the said realm of Ireland by letters or otherwise for the ordering directing and disposing of all and all manner "of matters and things whatsoever of or concerning the same plantation or the disposition or government thereof." It also provides for the appointment of a Recorder of Londonderry a Swordbearer and Serjeants at Mace. It makes a grant of the whole county of Londonderry to the Irish Society with the fishings of the Bann and the Foyle and certain advowsons and other rights and franchises. There are certain exceptions specified and rents are reserved. The Irish Society are in this charter bound by covenant to convey certain lands to the Bishop and Dean of Derry and to keep a ward in the Castle of Culmore to endow certain churches to an extent therein specified and to appropriate the timber in certain parts of the county or the proceeds thereof to building purposes in Ireland. The charter then grants the great and small customs for ninety-nine years and creates a port and grants Admiralty rights and divers other privileges. It also contains an absolute covenant for quiet enjoyment. It grants the right to create manors, and contains an express power to grant by copy of Court roll or otherwise for any estate and at any rents whatsoever and to hold courts. Double Col. copy, p. 58,

9. The City sent over Alderman Smithes and Mathias Springham to survey the lands and to arrange a distribution thereof among the Companies of the City of London. These gentlemen divided the greater portion of the land into twelve portions of nearly equal value and arranged the Companies who had contributed to the expense (which amounted at that time to 40,000 *l.*) in twelve groups in such a way that each group represented an expenditure of 3,333 *l.* 6 *s.* 8 *d.* or one-twelfth of the whole. Each group consisted of one of the larger Companies associated with so many of the smaller Companies as made up the expenditure of the group to 3,333 *l.* In two instances those of the Grocers and the Merchant Taylors the expenditure had been more than 3,333 *l.* there the company was the only constituent of one group and for the overplus of its expenditure was associated in another group. In this way and by the payment and receipt of a few shillings between some of the Companies an exact equality down to shillings and pence was created. Then by a solemn drawing of lots from hats by the City Swordbearer the twelve portions of the land to be distributed were allotted to the twelve groups. This allotment took place on the 17th December 1613 and thereupon the different Companies entered into possession of their respective portions although no conveyances had yet been made and proceeded with the work of planting and settling them. Min. of C. C. 17. Dec. 1613, Appellants, Appx. pp. 63–66.

10. Then on the 30th September 1615 the King granted to the Companies of London therein named his license in mortmain to take and hold such of the lands as might be granted to them by the Irish Society or by others. This document recites that the Companies had expended great sums and intended "so far forth as to them should "seem Appendix, No. 11.

"seem convenient to be at further charge" therein ; it speaks of the work as not yet finished ; and the license is expressly granted in order that the ompanies might be the better encouraged to finish the same and in future times reap some gain and benefit of their great travails and expenses taken and bestowed therein.

11. In accordance with this license in mortmain the Irish Society made their grants of the twelve portions to the respective Companies according to the allotment above described. But in the case of those portions which had been allotted to a group of more that one Company the grant was made only to the principal Company which however always treated itself as accountable to its associated Companies for their proportionate share of the rents and profits of that portion. Moreover, before the grant of any portion it had been erected into a manor in pursuance of a power in that behalf contained in the King's charter.

12. The title of the Companies such as it was to their respective portions was thus complete. They took up their grants from the Irish Society at different dates but they seem to be all pretty much in the same form though not entirely so for in some a rent is reserved to the Irish Society. In others there is no rent. We have not found any explanation of this difference. The grant to the Mercers' Company was dated 17th October 1618 and will be found in the Appendix No. 12 that to the Ironmongers 7th November 1618 Appendix No. 13.

Appendix, No. 12.

Appendix, No. 13.

13. The Government of King Charles I. was probably tempted by its pecuniary difficulties to listen to the suggestion made by Sir Thomas Phillips and others to the effect that advantage might be taken of shortcomings of the Londoners to extract money from them. These suggestions are scattered through the State Papers of the time and may be found by means of the list of references in the Appendix No. 25.

Appendix, No. 25.

14. Informations were exhibited in the Star Chamber against the Corporation of the City of London and the Irish Society which resulted in a judgment dated the 28th February 1634. This judgment inflicted a fine of 70,000 *l.* on the Corporation and the Irish Society and ordered the charter of King James to be brought into court to be cancelled. And further taking notice that the Companies and their farmers (*i.e.* tenants) were not parties to the suit but that the Court were nevertheless of the opinion that they might justly have been censured if they had been parties directed that if the Companies and their farmers should not surrender their estates the Attorney-General should exhibit an information against them also.

Appendix No. 15.

15. No surrender was made in pursuance of the Star Chamber order and proceedings were taken by *scire facias* against the Corporation of London the Irish Society and the twelve chief Companies in which judgment was given in Hilary term 1638 in default of appearance of the defendants that the charter should be revoked and cancelled and the lands seized into the King's hands.

Appendix, No. 16.

16. The fine of 70,000 *l.* appears to have been ultimately commuted to 12,000 *l.* But the City presented a petition to the House of Commons complaining of the illegality and injustice of the proceedings against them and the Companies and praying for protection and relief. This petition was referred to a Committee of the House who heard counsel for both sides at considerable length and upon the report of the Committee the House adopted a series of resolutions in favour of the City and the Companies dealing in detail with the charges which had been made against them. The King himself seems to have admitted the justice of their case and upon his return rom Scotland in October 1641 to have promised restoration of the lands.

Appendix. No. 18.

Appendix, No. 19.

17. The fulfilment of this promise if in fact made was prevented by the breaking out of the Civil War. Its immediate fulfilment was of the less importance because in the summer of 1641 there was another rebellion of the Ulster chiefs the province was desolated and the work already done towards the plantation was undone. This Irish rebellion was crushed by Cromwell who then reincorporated the Irish Society and regranted the lands to them. The Irish Society in its turn granted again to each of the Companies the same lands which they had held before. One of these grants viz. that of 5th August 1658 to the Mercers' Company will be found in the Appendix. Cromwell's charter is nearly identical in its terms with that subsequently granted by Charles II.

Appendix, No. 20.

Charles's charter is not printed by the Committee.

18. After the restoration of Charles II. the process was repeated. Charles ignoring of course what had been done by Cromwell granted a fresh charter to the Irish Society dated the 10th April 1662 and a fresh license in mortmain dated the 7th April 1663. The Irish Society again created the manors as before and granted them again to the same Companies as before. The grant to the Mercers' Company is dated the 5th June 1663 that to the Salters of the same date.

Appendix. No. 26.

Appendix, No. 21.

20. The above-mentioned documents constitute the title of the Irish Society and of the Companies to the lands still held by them.

Appendix, No. 23.

21. To complete the narrative it is only necessary to add here that many of the Companies have from time to time sold their lands as private owners the Haberdashers sold as early as the year 1675 or thereabouts indeed there is some reason to believe from the way in which they are mentioned in the Commons' vote of 1641 that their sale had been in negotiation from before the Star Chamber proceedings ; three Companies sold in the next century viz. the Merchant Tailors Goldsmiths and Vintners ; and in the present century four or five sales have taken place or are in negotiation some of them being sales to the tenants under recent Acts of Parliament relating to Ireland. Besides this some of the larger Companies have from time to time bought up the shares of smaller Companies originally associated with them paying for such shares out of their own corporate monies. The Skinners paid as much as 76,000 *l.* for the shares of the Bakers and Stationers. In 1665 King Charles II. himself bought up the customs from the Irish Society ; in 1741 the Irish Society released to the Companies certain rights over the timber ; and quite recently they have in accordance with the requirements of the Irish Land Commission released their mineral rights in favour of Companies selling to their tenants under Lord Ashbourne's Act.

Ev p. 405.

Q. 5,527.

Skinner's Case, App. Appx. pp. 203-205.

Appendix, No. 27.

Q. 5,973-7.

Mr. Romer's speech, Ev. p. 413.

Mr. Romer's speech, Ev. p. 417.

Mr. Romer's speech, Ev. p. 414.

22. The Irish Society do not claim to hold beneficially the lands which they retain but they claim to have an absolute discretion as to the purposes to which they shall apply the property, a discretion which includes the division of any surplus among the Companies if the Irish Society thought it right to make any such division, a discretion which is perhaps subject to a sort of visitatorial control on the part of the Corporation of the City of London but is not one for which they are accountable to the Companies or to the Crown or to any other person or body. The Companies claim to hold beneficially as absolute owners the lands which they have not sold subject only in the case of the larger Companies to accounting to their associated companies whose shares they have not bought up for their proper proportion.

23. On the other hand it was contended before us that the whole land whether in the hands of the Irish Society or in those of the Companies was and is subject to a trust which excluded all beneficial holding. We did not find that any definition of the trust was suggested but it was described in extremely general terms as being for public purposes including education and religion and a special trust for the tenants was also suggested. And it was said that any difficulty in settling the exact terms of the trust could be surmounted by the application of the doctrine of *Cy-pres*.

26. With regard to the lands which remain in the hands of the Irish Society we have heard a considerable body of oral evidence from which we conclude that their administration of those lands is fairly satisfactory at present. Nobody before us contested their legal right to apply their income as they are at present applying it. Many of the witnesses spoke warmly in favour of the management since Sir J. Whittaker Ellis has been the chairman of the Irish Society. Other witnesses no doubt suggested improvements in matters of detail but nothing was brought befor e uswhich demanded a violent remedy or a more precise definition of the trusts or duties under which the Irish

Irish Society hold. Indeed, when it came to attempting a narrower definition the different witnesses were by no means unanimous.

25. With regard to the Companies there was the same difficulty in defining the trusts among those witnesses who alleged their existence.

In default of any definition of a trust it is of course difficult to decide on the existence or importance of a breach of trust. But the Companies who still hold their lands have dealt with the rents and profits as their own subject to such payments for religious and educational and other public purposes as a liberal-minded landlord would make and perhaps a little further; and they have done this from the first under their claim to hold beneficially; so that a clear breach is admitted of any such trust for public purposes as their opponents contended for if such a trust in fact exists.

The following answers were given before us :—

Q. 67. What comparison do the London companies bear to private landowners in the country ?—As landlords they have acted pretty much in the same way in some respects a little better in other respects a great deal worse. (The Rev. R. H. F. Dickey.)

(The Rev. H. B. Wilson, D.D. Q. 332.) In what light did you look upon the companies in the past ?—We have always looked upon the Companies in the light of being trustees. If they are ordinary proprietors I hold they have dealt very liberally with us but if they are trustees I think they should give us more than they do.

(The Rev. N. M. Brown. Q. 528.) So far as regards the estates, what sort of landlords have the London Companies been as a rule in your district ?—For a long time I had a strong prejudice in their favour from the fact that for public objects and for useful purposes of a social kind we would have got a little occasionally from them, and we got very little from private landlords but latterly since I have understood their history better than I formerly did I have not thought so highly of their administration.

(Q. 529.) In what respect do you think less highly of their administration ?—Because I thought at one time that they were as they represented themselves the real owners and that as real owners they were more liberal than some other real owners whereas I find now that they were only trustees.

(Q. 749.) If they are private landlords they have acted a generous part. If they are trustees they have acted a miserable part a part in fact that makes us think they are not just.

(Dr. Todd. Q. 3137.) Before Lord Derby's Commission you were asked on the 12th July 1882 : "From your "knowledge of the tenants on the Companies' Irish estates in the North of Ireland do you think that those tenants "would have been better off if they had been the tenants of private individuals instead of being tenants of the "Companies ?" Then there is your answer : "With some private individuals they would have been better off and "with some worse." Then Lord Derby asked you : "On the average would they not have been materially worse "off ?" (A.) "On the average they are better off than with private landlords. I admit that freely but I could "give the names of landlords that are better landlords than the Companies." Does that still remain your view ?—That is still my view.

26. All these witnesses were called in support of the case against the Companies. If the Companies are in the words of Mr. Dickey "real owners" holding beneficially we conceive that it is no part of our duty under the present reference to criticise their conduct as landowners. Many complaints have been made against them and on the other hand it has been said that the very fact of their having been as was alleged by some witnesses more liberal than other landlords was evidence that they were only trustees. And in this view their conduct may seem material to our inquiry.

But if their expenditure on public objects is to be treated as evidence of their being trustees it is only fair that their expenditure on their own private objects which is admittedly very considerable should be equally treated as evidence against the trust. So that we do not think the way in which they have spent their money can be relied on to fix them with a trust.

27. The substantial and most important question raised upon this inquiry namely whether the lands in the hands of the Companies are or are not subject to a trust and if to any then to what trust must depend upon the documentary evidence.

28. In considering the trusts or obligations which have been suggested as affecting the lands in the hands of these bodies or as affecting these bodies in connection with this portion of their property it is first of all to be observed that the grants to the Companies from the Irish Society do not purport to impose any trust whatever on the lands. This is admitted by Mr. Walker. Secondly they expressly mention "assigns" in a way indicating that alienation was contemplated. They reserve to the grantors viz. the Irish Society the timber with liberty to fell at and carry it away for the purpose of being employed for in and about buildings and other necessary uses in Ireland and not for any other cause to be merchandised or sold but subject to a right on the part of the Company and their assigns to fell for building purposes on the particular portion. They also reserve rights of sporting and fishing and also liberty to take stone for buildings in the country. In some cases as above mentioned a rent is reserved to the Irish Society. All this particularity of reservations and exceptions seems inconsistent with the idea that the transaction was a mere transfer of the duty of performing public trusts. In the case of the timber the reservation specifies the purpose for which it was reserved ; in the case of the sporting rights no such purposes are mentioned ; so that there appears to be a difference intended between the two. Such a difference does not fall in with the idea of the whole being subject to one overriding trust. But these grants recite the charter of James so that no doubt each company would have notice of any trust imposed by that charter. Ev. p. 341.

29. The charter of Charles like that of James certainly imposed certain duties upon the Irish Society duties of public importance which cannot be said to be all exhausted and fully performed. Neither charter purports to impose any duties on the Companies ; indeed in that of James they are not mentioned at all. No words directly imposing any trust on the lands are to be found in that part of either charter viz. immediately after the "habendum" where it would be natural and according to the usual and well-known practice to insert them if any such trust were intended.

But it is said and it was so put by Mr. Walker in his argument that the preamble of the charter of King James recites the objects of the King that the objects there recited are merely public objects and that the consequence is that the whole of the lands were subject to a trust for public objects alone and then he argued that the trust so made out was inconsistent with the contention of the Companies to hold their portions beneficially or otherwise than as trustees for those public objects inasmuch as they took with full notice of these trusts. He then further argued that the charter of King Charles was intended to put the Irish Society and the Companies in the same position as they had stood before the proceedings in the Star Chamber and the *scire facias* and in this way he endeavoured to fix the land in the hands of the Companies with a trust for public purposes inconsistent with their claim to hold *beneficially*. Ev. p. 330, 343.

30. Many of the steps in this line of argument are indisputable and were indeed admitted by Mr. Latham on behalf of the Companies which he represented. It may be taken that the objects of King James as recited in his charter are purely public objects, that the Companies took from the Irish Society both in the time of King James and in that of King Charles with full notice of such trusts if any as affected the land in the hands of the Irish Society, and that King Charles II. intended to put the parties in the same position as before the Star Chamber proceedings. It may also be taken that some of the duties of the Irish Society as prescribed by the charter for instance the duty of keeping a ward in the Castle of Culmore were duties which could not be performed without

funds; and as the estates and other property granted to them by the King were their only property it may be safely inferred that this property was intended to provide the means of fulfilling duties of this kind. This duty of providing a ward in the Castle of Culmore like other duties imposed by the charter on the Irish Society is according to the language of the charter imposed by way of covenant and not by way of trust; but this circumstance by itself is not absolutely inconsistent with the existence of a trust for the same purpose inasmuch as words of mere covenant may under certain circumstances be sufficient to create a trust.

31. On examining the charter minutely we are unable to find that those duties which required funds for their performance are sufficiently numerous or important to make it reasonable for us to conclude that the estates were given to the Irish Society for no other purpose than for providing for the performance of those duties, unless we accede to the opinion that part of those duties consisted of distributing the estates themselves amongst "undertakers" who would hold the land for their own benefit. And this is what Mr. Latham contended that we ought to do. He argued that one of the principal objects of the King was the "plantation" and "settlement" of the province in the sense of bringing over "planters" and "settlers" to inhabit and live in the country and that the mere fact of bringing over such people and "planting" and "settling" them in the province was in the eyes of the King a thing good in itself which would introduce the Protestant religion and by turning out the native Irish prevent the continual recurrence of rebellion and gradually pacify and civilise the country. Of course these "planters" and "settlers" though indirectly effecting great public objects were not expected to be trustees of the lands which should be assigned to them but like the planters and settlers in America and elsewhere were to work them for their own individual profit provided that they conformed to such general rules as should be necessary for ensuring the success of the scheme as a whole

32. If a plantation in this sense was part of the duties of the Irish Society even though it bound them by way of trust and not merely by covenant or contract, and even though the whole of the estates were in their hands subject to such a trust, it will easily be seen that the lands which in the performance of the trust the Irish Society distributed might very well be free in the hands of their alienees from the trusts which bound the lands while in the hands of the Irish Society. It is not true as an universal proposition that trust land in the hands of an alienee with notice of the trust must necessarily be subject to the trust. Lands which have been settled upon trust for sale when sold in pursuance of the trust are in the hands of the purchaser no longer subject to the trust. The whole question depends on whether the alienation was authorised by the trust. Similarly the question whether the estates of the London companies are subject to any trusts which bound the Irish Society, must depend on whether the alienation by the Irish Society to the Companies was authorised by those trusts or was unauthorised and in fact a breach of trust. Mr. Walker accordingly contended that the alienation was a breach of trust.

Mr. Walker's speech, p. 350.

33. The charter of King James does not provide any power of appointment of new trustees; whatever trusts there were to be performed so far as appears in the charter by the Irish Society and by them alone; so that the conveyances by the Irish Society of large portions of the land to the companies free on the face of them from any trust were, if not authorised by the trust, a distinct and flagrant breach of trust on the part of the Irish Society. Inasmuch as this took place openly and in the face of day more than 250 years ago and its propriety has never been questioned during the whole of that time until quite recently there would seem to be a *primâ facie* case in favour of its validity.

34. The preamble of King James's charter on which Mr. Walker principally relied is in language which is certainly not inconsistent with the view that the public objects therein referred to included the distribution of land which afterwards in fact took place. In fact this preamble recites the objects not as relating to the county of Londonderry alone but as applicable to the whole province of Ulster, to the whole plantation of which the Londoners had undertaken a part. By what the King did in the other five counties he had shown and was showing what he meant by this language; and it is unlikely that the legal effect of this recital should impose on every acre of land in the county of Londonderry a public trust or obligation which the king in the other five counties was showing to be far from his mind at the very time he was using this language about his objects in those five counties and in the sixth.

And the contemporary documents to which our attention has been directed, whether they would or would not be equally admissible to explain the effect or meaning of the charters, are certainly useful in showing what were in fact the intentions of the king and the Government and the understanding of all parties concerned.

35. A general view of the evils which it was desired to remedy and the general nature of the methods adopted will be found in certain instructions for plantations in divers parts of Ireland issued by the king on the 16th September 1603 and in a commission for settling shires in Ulster dated the 19th July 1605 also in Sir Arthur Chichester's notes on the six counties of 14th October 1608. They are further illustrated in the Carte papers in the Bodleian Library at Oxford vol. 30.

Cal. Pat. and Cl. Ir. Jac. I., pp. 12–14.
Ibid. p. 214.

36. The "Orders and Conditions" above referred to speak for themselves. It was argued that they imposed a trust on the lands of the Companies. But they relate not merely to the county of Londonderry but to all six counties. They are addressed not to the Companies or to the City of London but to anybody who might choose to become an undertaker. So that if by reason of these orders and conditions any trust was attached to the lands in the county of Londonderry the same trust must apply to the land in the other five counties. And we think it an untenable hypothesis that the undertakers in these five counties, who may in contradistinction to the Companies be called the private undertakers, were intended to hold their estates on terms which excluded all private benefit to themselves.

St. Pap. Ir. 1608–1610, pp. 54–64, 68.
Skinners' Case, Appx.

37. That the undertakers in all six counties were for certain important public objects to be bound to certain duties and to conform to certain rules without which the plantation was not expected to be a success, is plain on the face of the orders and conditions. The union of private gain with public benefit or rather the idea of making private gain subserve the public ends is clear especially in the preamble which speaks of the King as being "pleased to distribute the lands to such of his subjects as well of Great Britain as of Ireland as being of merit "and ability shall seek the same with a mind *not only to benefit themselves* but to do service to the Crown and "commonwealth."

38. This document then proceeds as follows:—"And forasmuch as many persons being ignorant of the "conditions whereupon his Majesty is pleased to grant the said lands are importunate suitors for greater portions "than they are able to plant intending their private profit *only* and not the advancement of the public service it is "thought convenient to declare and publish *to all his Majesty's subjects* the several quantities of the proportions "which shall be distributed the several costs of undertakers the manner of allotment the estates the rents the "tenures with other articles to be observed *as well on his Majesty's behalf* as on behalf of the undertakers in manner "and form following."

39. This language leads to the expectation of finding in the body of the document not merely what the undertakers were to be bound to do but also what the King was to do for their benefit. And this is what we in fact find for though those articles which contain the obligations of the undertakers are not separated or distinguished from those which contain the obligations of the Crown by titles or headings expressly referring to this distinction yet in many cases it is easy from the subject matter to see whether this or that article related to the obligations of the King or of the undertakers.

40. As to some of the duties which are obviously cast on the undertakers, for instance the duty not to alienate the land for a fixed period, the document expressly states that a proviso to that effect is to be inserted in the grants; thus

thus clearly indicating the means by which that duty was to be enforced. The undertakers were to be put under certain obligations to build plant reside for a certain time and to let to their tenants for fixed terms and for the performance of these duties they were to give bonds ; thus indicating in this case also the means by which these latter duties were to be enforced.

41. But there are two clauses at the end of the document upon which Mr. Walker relied as showing a trust for public purposes. They are as follows :—

"That in every of the said counties there shall be a convenient number of market towns and corporations "erected for the habitation and settling of tradesmen and artificers and that there shall be one free school at "least appointed in every county for the education of youth in learning and religion.

"That there shall be a convenient number of parish churches with sufficient incumbents in every county "and that the parishioners shall pay all their tithes in kind to the incumbents of the said parish churches."

42. Mr. Walker's argument on this point depends on the assumption that these two clauses indicate duties to be imposed on the undertakers and not on the King. But there are weighty reasons for thinking that this assumption is fallacious. In the first place it is obvious that the erection of market towns and corporations and the creation of parishes are matters of royal prerogative and cannot possibly have been considered as things to be done by the private undertakers to whom the document was addressed. These matters would more naturally fall under the head of things which the King was to do ; things which were held out as inducements to His Majesty's subjects to become undertakers. In the second place the document does not specify the means to be adopted for imposing these duties on the undertakers, whether by "bond" or by a "proviso to be inserted in their patents," as it does in the case of the undertakers' other duties. And in the third place other documents show that these were matters which the King in fact treated as appertaining to his own part in the matter. For instance in the almost contemporaneous articles for instruction to the Royal Commissioners for the plantation dated the 30th June 1609 the assignment of the glebes and of the free schools are treated as matters which the Commissioners are to see to being effected by grants *from the King*. And in a letter of King James to Chichester of 22nd April 1615 he states that he has made choice of the Archbishop to distribute the lands reserved in the escheated counties for schools and glebes, and directs that the lands are accordingly to be conveyed *by royal grant* to the Archbishop to be by him distributed and allotted to the several schools and churches. There is also a State paper of 20th June 1623 containing some recommendations of the Irish Church Commissioners and stating that no *patents* of Church endowments in Ulster had yet been passed to the clergy and that it should be done forthwith. There is a letter of King Charles I. of 8th July 1626 to the same effect ; and other documents tending the same way are to be found in the Calendars of State Papers and Patent and Close Rolls. The fact is also confirmed by the historical knowledge of Canon Babington in his evidence given in 1889. (Q. 566, 570.)

Cal. St. Pap. Ir. 1608–1610, p. 237.
Pat. and Cl. Ir. Jac. I., pp. 468–4–2.
Skinners' Case, Resp. Appx. p. 149.
Cal. St. Pap. Ir. 1615–1625, p. 47.
Cal. St. Pap. Ir. 1615–1625, pp. 416, 419.

43. We think a conclusive answer to the argument of Mr. Walker upon the "Orders and Conditions" is that they apply equally to all the undertakers in all the six counties. The question is What do they mean? In five of the six counties the Orders and Conditions must be construed from the nature of the case to hold out the prospect of individual profit. This therefore must be their meaning when they were sent to the City of London.

Cal. Pat. and Cl. Ir. Car. I., p. 123.

44. Mr. Walker also founded an argument on the "Motives and Reasons." He said that the inducements and profits held out by this document were only national and public advantages and he argued that this excluded direct private benefit of the City or the Companies ; but it must be remembered that the Motives and Reasons were laid before the City together with and refer to the Orders and Conditions and that the Motives and Reasons are on the face of them Motives and Reasons to induce the City of London to *undertake* the plantation ; to induce them to come as "undertakers" under the general scheme. The circumstance that the Motives and Reasons only mention advantages of a public nature cannot be held to exclude the idea of private benefit if the two documents viz. the Motives and Reasons and the Orders and Conditions be read together. It will then be apparent that the office of the Motives and Reasons is to point out certain advantages as likely to accrue to the City of London over and above the advantages which by the Orders and Conditions the King was holding out to his subjects in general.

No copy in the Appendix.
Cal. Pat. and Cl. Ir. Car. I., p. 618.

45. Mr. Walker suggested that the county of Londonderry stood in the view of the King in a different position from the other escheated counties but there is no evidence whatever of this except in the circumstance that it happened to be the part offered to the City of London.

Mr. Walker's speech, p. 332.

46. Independently of these considerations there is a serious question how far the City ever was bound by these earlier documents.

It is a mistake to suppose that the City came in under the Orders and Conditions simply. On the contrary they state in their petition to the House of Commons, that they at first refused to have anything to do with the plantation ; and the history of the negotiations and bargainings which took place before an agreement was ultimately come to is highly instructive and seems hardly consistent with the view that a more public trust exclusive of any private benefit to the bargaining parties was in contemplation.

Appendix, No. 18.

47. It is clear that at the first the inducements held out had been insufficient to attract undertakers. On the 10th March 1608–9 Chichester acknowledges having just "received the imprinted books containing the Orders and "Conditions," and he criticises the document and declares that the time allowed for building is too short because workmen are too few and that very few in Ireland will bear any part for they are all either not able or not content to undergo the conditions. And it was reported to the King that no one in Ireland would apply unless some of the conditions were altered ; and that "the strangers that should come must resolve to abide some storms before they "come to a profitable harvest."

Cal. St. Pap. Ir. 1608–1610, pp. 157–161.
Cal. St. Pap. Ir. 1608–1610. pp. 176–7.

Sir Thomas Phillips wrote (though the letter seems to be wrongly placed in the Calendar of State Papers): "The undertakers deal like merchants who will first know what benefit will arise for their money disbursed."

St. Pap. Ir. 1608–1610, p. 248.

48. It was in this state of things when undertakers were holding off that the King applied to the City of London sending to them the very same document viz. the Orders and Conditions by which he was in vain endeavouring to attract the public, coupled no doubt with the further inducements contained in the Motives and Reasons. There would seem to be an *a priori* improbability in the suggestion that the City was not to enjoy, or at all events to have the power of offering to others, at least the same beneficial interest as other applicants.

49. The proposals of the King were discussed in the City and by an order of the Court of Aldermen held on the 1st July 1609 after reciting that so worthy an action was likely to prove pleasing to Almighty God and profitable to the undertakers precepts were directed to be sent to the Companies requiring them to appoint committees of four members to consider and set down such reasons orders demands and other circumstances as should be fit to be remembered required or performed. Precepts were sent accordingly with the "Motives" and "printed "book" viz. the Orders and Conditions.

Skinners' Case, Appellants Appx. pp. 36–7.
Skinners' Case, App. Appx. p. 46.

50. After a conference of these committees further precepts were sent requiring the Companies to ascertain what every particular man would willingly adventure. These precepts also spoke of the "profit likely to redound "to the particular adventurers."

Skinners' Case, App. Appx. pp. 38, 47.

51. Eventually the City agreed to send a deputation to Ireland to examine the project on the spot. About this time, viz. on 19th July 1609 a commission was appointed by the King to ascertain the extent of the escheated lands in the six counties and this commission met the London deputation there as hereinafter mentioned.

Cal. St. Pap. Ir. 1608 1610, p. 250.

Cal. St. Pap. Ir. 1608-1610, pp. 266-7.
Cal. St. Pap. Ir. 1608-1610, pp. 280-1.
Cal. St. Pap. Ir. 1608-1610, p. 286.
Cal. St. Pap. Ir. 1608-1610, p. 297.
Cal. St. Pap. Ir. 1608-1610, pp. 316-8.
Skinners' Case, App. Appx. p. 48.

52. On the 3rd August 1609 and again on the 4th August the Privy Council directed Chichester to "take the "best means to encourage the deputation of Londoners and to conceal matters of distaste." On the 28th August the Commissioners were in Coleraine "using their best rhetoric to persuade the Londoners." On the 18th September Chichester reports that the agents of London with Sir Thomas Phillips (who had been appointed to look after them) had been with the Commissioners at Coleraine and he states that "their purse and industry will within two or three "years improve their property to double value" that they came luckily when the people were more submissive than he (Chichester) had expected and that nothing shall be wanting to continue them in their resolution. On the 13th October 1609 he writes: "The agents of London have seen everything favourable. Pray God they prove not like "their London women, who sometimes long to-day and loath to-morrow" and he adds that they have presented certain demands.

53. These London agents returned home and made their report. The matter was on the 2nd December 1609 referred by the Common Council to a committee which reported on the 15th December that certain further demands should be made by the City. In this report the idea of the Irish Society was first mooted. And on the question how much money should be expended the committee recommended that "though the undertaking somewhat exceeded "what was first propounded yet the sum of money to be expended should only be 15,000 *l.* and that sum not to be "exceeded. And for the raising of this sum we hold the fittest course to be by way of Companies and in Companies "by the pole according to the rate of corn set upon every Company."

Min. of C. C. 22 Dec. 1609.

54. The report of the 15th December 1609 was adopted by the Common Council and ordered to be presented to the Privy Council as the City's answer to the King's proposals. But the Privy Council took exception to the expenditure being limited to 15,000 *l.* "in respect that the clearing of private men's interests in the things offered "would be greatly chargeable to his Majesty." One of the demands recommended by the report had been as follows: "All particular men's interest in these places about the Derry and counties of Coleraine to be cleared and freed to "the City." The Privy Council objected that 15,000 *l.* "would hardly perform the plantation being wholly employed "that way." Whereupon a further meeting of the Common Council was held on the 22nd December 1609 at which it was agreed to add to the 15,000 *l.* a further sum of 5,000 *l.* "in respect of buying in the private interests and other "charges."

Cal. St. Pap. Ir. 1608-1610, pp. 347-351.

55. This was followed by three conferences held in the Temple between the agents of the two parties. The course held in the consultation was to consider the City's demands and accommodate the same in such manner as might be least chargeable to the King and of most advantage to the plantation. The account of these conferences in the Calendar of State Papers does not admit of abbreviation.

Demand of 4,000 Acres of Land to be laid to the Dyrrey.

The deputies for London demanded 4,000 acres to be laid out for the use of the inhabitants of the Derry on the same side of the river as the town stands excluding all and every part of the Adhortie's [O'Dogherty's] land and also the Castle of Culmore upon the mouth of the river and as these 4,000 acres will comprise Lady Paulett's land and what else may haply belong to the Bishop of Derry which is not yet known they desire that all those titles may be cleared at the King's charge. However they intend to build churches and make endowments of competent livings for the maintenance of the ministry.

Answer.—It was thought meet albeit the quantities of acres demanded would fall out to be a very large extent being taken all on the side of the river and clearing the Lady Paulett's title chargeable to the King yet that for furthering the plantation their demand should be made good excepting the Bishop of Derry's title especially that which he had for a seat within the town of Derry either for a house for himself or for a dean and chapter which they leave to the consideration of the Lords.

Demand of 3,000 Acres in Colraine.

The City deputies who were sent into Ireland observed that the Castle of Colraine stood on the west side of the Ban in the county of Colraine and that the river bank rose up so steep on that side that a town could not be seated there either for water or for fishing. Finding the other side of the Ban, where the town of Colraine formerly stood in the county of Antrim more fit to build a city they desire leave to build the town there and to have 3,000 acres adjacent to it on the same side in the county of Antrim.

Answer.—The demand of 3,000 acres to 100 houses has no proportion to the other 4,000 acres to 200 houses, and the King has no ground on that side of the river to lay to the town the whole country thereabouts belonging to Sir Randall MacDonnel. Move that they take 1,000 acres on that side and 2,000 on the other. This they refused insisting on the first demand which was left to their lordships.

Demand of the Woods of Clancunken [Glanconkeyne] and Killetragh.

The third demand in regard to these woods was respited because it grew late until the next meeting on Friday but by the conference that passed it was observed that that point would take up some time as it was conceived that the woods were theirs to cut down and sell wherein it were meet some directions were given.

The Second Conference about the Plantation of Ulster.

The conference beginning with a repetition of that which passed at the former meeting those of London required:—

Demand.—That 7,000 acres of pasture ground might be laid adjacent to the town without bogs mountains or woods.

Answer.—That the bogs and mountains being good feeding grounds are not to be excepted in laying out commons unless they would suffer all such bogs and hills to be taken by other men which would be inconvenient to the towns or keep them as part of the adjacent ground and so they would have a greater quantity of acres than they demanded. After much altercation left undecided.

Demand.—To have the whole county of Colraine whatsoever quantity more or less undertaken at the rates set down without exception of any part and to express themselves better they name the Abbey of Dungevin with the demesnes more or less the castle of Linvady and every other part of the said county.

Answer.—That it might be the said abbey with the demesnes was already granted to the College of Dublin and would be hard to get back again. Moreover it had been told them that divers of the Irish as Manus O'Kane and Manus Makanally [M'Nally] freeholders in that county were men of merit and having done good service to the State could not be removed without inconvenience besides the discouragement to men of desert.

Reply.—The Londoners replied that they named the Abbey of Dungevin because they understood there were some who went about to turn it to their own private ends. For those freeholders formerly named they wished them well but would by no means have any promiscuous habitation with the Irish unless they were contented to be their tenants. Consideration left to the Lords.

Demand.—They demanded the woods of Clancunken and Killetrowe with the soil of the same woods to be wholly to their use and possession.

Answer.—That the woods were of as long extent as the whole county of Colraine and more than would serve for that plantation. It was intended they should have as much of these woods as would serve to build towns and plant the country the remainder to be left to the use of posterity or disposed of by the King.

Reply.—The Londoners replied that the woods in the county of Tyrone were of no use but either to be spent on the ground or to be brought down the Ban to those places they had undertaken and that they were so spoilt by the people of the country in late years that the best part was cut down and purloined away whereby they feared there would be want of wood within a short time unless some order was taken for their preservation. Their purpose was not to make any foreign sale of the wood or turn it into merchandise but having settled a trade in those parts their care was to have timber for shipping. To that end they desired the conservation of those woods and the soil as lords of the same.

Difference.—Sir James Ley and the rest thought fit that the controversy should be continued in the King and left it as a difference not agreed upon to the consideration of the Lords.

Demand.—They demand the patronage of all the churches to be built in any part of their plantation or already built and having no incumbents which the Commissioners think fit to grant them excepting such as are already passed to the College of Dublin.

The demand of holding the county of Colraine in fee-farm at the rent of 5*l.* 6*s.* 8*d.* for every thousand acres excepting woods mountains and bogs of holding the two cities and the lands laid unto them in free burgage and the rest of the county lands in common soccage was in every point agreed unto.

Being moved by Sir James Ley to fall in hand with such other courses as were fit to be thought on for the furtherance of the plantation in regard to the spring coming on which should not be lost the Londoners liked his motion but excused themselves as not knowing how to proceed to levy the money before these things were cleared.

Third Conference concerning the Plantation of Ulster.

Privileges demanded.—Custom of all goods exported or imported poundage tonnage the great and small customs the salmon fishing of the river Ban and Loughfoile transport of all prohibited wares growing on their own lands.

The admiralty of the coast of Tyrconnell and Colraine liberty of fishing at sea upon the coast and peculiar fishing in all the rivers within their country.

Answer.—All these are thought fit to be granted being formerly offered to the City in the project.

Demand.—That no flax hemp or yarn unwoven be transported out of their ports without license of the officers of the Derry and Colraine.

Answer.—It may be yielded to as concerns flax and hemp but there are two patents already granted for transporting yarn one to the late Lady Rich and a reversion to John West which if they could be called in or otherwise fitted were not amiss.

Demand.—That no hides be transported raw.

Answer.—This restraint may be yielded unto in their own ports but no farther for the greatest trade of Ireland is transporting raw hides.

Demand.—That as well the cities and towns as the county of Colraine be freed from all patents of privileges heretofore granted to any person either of linseed oil soap ashes or making glasses or any other whatsoever and that hereafter no patent of privileges be granted to any one within the said towns.

Answer.—If by course of law these patents can be revoked it is wished that they were freed as demanded and that in future no privilege should be given but by grant from hence and the City called into it before it pass.

Demand.—To have command of the Castle of Culmore for search of all such as pass outwards with commodities.

Answer.—Yielded unto for they pay the officers and soldiers.

Demand.—That the liberties of the cities of Colraine and the Derry may be extended three miles every way and that they may have such further liberties as upon view of the charters of London the Cinque Ports or the city of Dublin shall be found fit.

Answer.—Yielded unto.

Demand.—That all particular men's interest either in land or otherwise be freed to the City.

Answer.—Excepting Church and College land.

Demand.—To have forces maintained at the King's charge during the plantation for defence of those employed.

Answer.—Forces are fit to be maintained for some reasonable time.

Demand.—To have an Act of Parliament for selling and confirming all these things and also to have seven years' respite to consider such demands as shall further be thought fit.

56. As a result of all this bargaining the formal agreement of the 28th January 1609–10 was entered into. As between the King and the City the Orders and Conditions as well as the Motives and Reasons must be considered as only offers or negotiations. The formal agreement of 28th January 1609–10 is obviously the document by which the parties intended to be mutually bound and we are unable to see how under these circumstances any previous documents can be held to bind the City, the Irish Society, or the Companies except so far as their provisions are incoporated into the formal agreement. Skinners' Case, App. Appx. p. 51.

57. The agreement of the 28th January 1610 no doubt implies that the lands were to be "undertaken" and in this way may possibly be held to have incorporated to a certain extent the general scheme of the plantation. The Companies certainly were treated as "undertakers." It is not immaterial in this connection to cite a few passages from the documentary evidence which show what was considered to be involved in the duties of an "undertaker" and treat the work of "plantation" as a thing which though it might take time was nevertheless capable of being fully finished at some time or other, and not a permanent matter like an ecclesiastical or charitable trust.

58. One such passage is contained in the Minute of Common Council of the 22nd December 1609 where it states the objection made by the Privy Council to the limit of 15,000*l.* that "this sum would hardly *perform the "plantation"* thus treating the "plantation" as something to be performed once for all. Another is in the letter of the 25th March 1615 from the King to Chichester: "We . . . . . find greatly to our discontentment the slow "progression Skinners' Case, Resp. Appx. p. 409.

"progression of that plantation some few only of our British undertakers servitors and natives having as yet "proceeded effectually to the accomplishment of such things in all points as are required of them by the articles of "the plantation the rest and by much the greatest part having either done nothing at all or so little or by reason of "the slightness thereof to so little purpose that the work seems rather to us to be forgotten by them and to perish "under their hand than any whit to be advanced by them some having begun to build and not planted others begun "to plant and not built and all of them in general retaining the Irish still upon their lands the avoiding of which "was the fundamental reason of that plantation . . . . . The time is long since expired within which they "were bound to have finished to all purposes their plantation . . . . Yet we are pleased . . . . to assign "them a further time which shall be to the last day of August come twelve months which will be in the year of our "Lord 1616 which we are determined shall be final and peremptory unto them and at which time we are resolved to "seize into our hands the lands of any man whatsoever without respect of persons whether he be a British under- "taker servitor or native that shall be found defective in performing any of the articles of the plantation to which "he was enjoined. . . . . We require you to give them notice whom it concerns that we do expect full "performance in all points of the articles of the plantation by the time above specified." And in a letter of the King dated the 8th June 1615 he praises a certain Captain Raphe Manuffield "who has shown forwardness beyond "most of the other undertakers and has performed all the conditions of the plantation."

Cal. St. Pap. Ir. 1615–1625, p. 64.

59. The articles of agreement were not much relied on by Mr. Walker and they do not seem to lend countenance to his theory of a trust. They represent the result of the previous bargaining and in their particularity of detail are more agreeable to the theory that the parties were contracting on the footing of private profit than to that of an overriding public trust. They are certainly insufficient by themselves alone to establish Mr. Walker's propositions.

Skinners' Case, Appx.

60. On the 31st January 1610 a precept was sent to the wardens of the different Companies in the following form: "Whereas the King's Most Excellent Majesty hath granted unto the City of London the city of Derry and "towne of Coleraine with 7,000 acres of common land thereunto adjoining and fishing and divers other immunities "privileges and franchises paying four marks per annum. And whereas the City hath undertaken to expend in "building of houses and fortifications and for freeing of foreign titles the sum of 20,000 *l.* And whereas also His "Majesty hath further granted to this City divers other lands in the county of Coleraine and other undertaken "lands to build thereupon which building is to be performed in such manner as is expressed in the printed book now "extant yet with this addition that they are to have and enjoy the same lands after the Irish measure being far "better than other ordinary undertakers have. And forasmuch as the Governors and Committees for the plantation "in Ireland are now instantly to take care for the letting and disposing of the said lands in the said county of "Coleraine and the said other lands so undertaken to be used and managed for the benefit of this City which "would otherwise prove a great hindrance and loss especially for that the time of the year is most convenient for "the plantation to proceed yet it is thought fit that the offer of those lands be first made to the several Companies of "this City who have and are to disburse the same and bear the charges of building before mentioned. These are "therefore to charge and command you that yourselves together with the assistants and such other of your "Companies as you shall think fitting do forthwith assemble together and advise whether you will accept of a "portion of the same lands according to the quantity of your disbursements to be by you undertaken and managed "according to the printed book for plantation or that you will refer the letting and disposing thereof to the "Governor and Committees. And that you certify to the said Governor and Committees in writing under your "hand at the Guildhall on or before the 7th day of February next coming what shall be your full determination "therein to the end the business may the sooner be effected wherein you are to take advertisement that your "Company are to pay and bear their proportion of the charge of the said building fortifications and freeing of the "titles whether they accept the said offer of the lands or no. And also that notwithstanding the acceptance of "the lands you shall likewise still be partakers of all benefits of fishing with the profits of the towns and other "immunities whatever. And hereof fail not *your perils*."

61. It is evident from this document that the distribution of a large portion of the lands among the Companies was contemplated from the first and that it was considered that the lands so to be distributed were nevertheless to be subject to the general rules for the plantation by which the private undertakers in other parts of the plantation were to be bound. But of any trust beyond such obligations the document gives no hint. And in fact the option offered to each company is not easily reconcilable with the idea of any general all-pervading trust; for on the hypothesis of such a trust what could it matter to the Company addressed whether it accepted the lands or not? Why should the Company accept the burden of executing a trust which precluded profit?

Skinners' Case, App. Appx. p. 55.

62. And on the 14th January 1611 another act of Common Council ordered that precepts should be sent to every several Company to require them to assemble themselves together and to advise among themselves whether they would "consent and agree to take and accept of lands in lieu of the monies already by them disbursed towards "the said plantation and so to build and plant the same at their own cost and charges accordingly as by the printed "book of plantation is required."

Skinners' Case App. Appx. p. 57.

63. Again on the 16th July 1611 the Court of Common Council finding that the 20,000 *l.* already raised was almost expended made provision for levying a further 10,000 *l.* "upon all the several Companies" and ordered precepts to be made out for that purpose and "by the same precept to require every several Company to assemble "themselves together and to advise amongst themselves and thereupon to certify to the Governor and Committees "for the said plantation at the Guildhall whether they will willingly yield to the said supply of 10,000 *l.* or that "they will be contented to lose all such moneys as they have already disbursed towards the said plantation and "pass over their right therein to such as will undertake their payment for them and to free and discharge them of "all other payment hereafter touching the said plantation."

64. In pursuance of these precepts certain of the Companies intimated to the City their willingness to accept what was put upon them. Ultimately two preferred to forfeit their rights viz. the Coopers and Brownbakers. And it was thereupon ordered at a Court of Aldermen held on the 15th September 1612 that "Mr. Chamberlain "should disburse and pay all such sums of money as should have been taxed and assessed upon the said Companies "of Coopers and Brownbakers for the supply of the said 10,000 *l.* and the City to receive all the benefit and profit as "well already due as thereafter should grow due to the said Companies by the said plantation in Ireland."

Skinners' Case App. Appx. pp 39, 40.

65. What can be supposed to have been the consideration present in the minds of the Companies at this stage? This question was put to Mr. Walker and he answered it as follows: "I suppose they may have been influenced by "this consideration. Put yourself in their position. I suppose they thought Whether we do this or not we will "have to pay all the same. We may as well speculate in this for we are told by the precept that whether we take "the land or not we will have to pay all through not only now but every subsequent impost and as the King has "said in his Motives and Reasons that this is a profitable undertaking to the City and would yield them their profit "we will accept whatever benefits the City will have in those lands and we might as well do so when we are to bear "the burden all the same." So far we think Mr. Walker rightly conceived what was passing in their minds. No doubt he said also that the profit meant profit to the realm and to the public and not personal profit to the City; but if this were so it is difficult to understand what was the consideration present to the mind of the parties. The Coopers and Brownbakers were obviously to be freed from future payments at all events. Why should the other Companies not put themselves in the same position if they were not to hold beneficially such lands as they were to take?

Ev. p. 338.

66. The extraordinary pains taken to ensure that the proportion of land allotted to each Company should exactly represent the expenditure by that Company is unintelligible on the hypothesis that no Company was to hold

hold its proportion beneficially but that the whole of the rents and profits were appropriated to public purposes. What could it possibly matter whether one Company got more or less than its correct proportion, nay what could it matter whether it obtained anything at all, if it was not to hold beneficially what it took? The whole would obviously be better left in the hands of the Irish Society to be administered on one uniform system if subject to a trust which precluded all prospect of private advantage. It may be argued that the Irish Society and the Companies were under a misapprehension in thinking that the Companies could hold beneficially but it cannot reasonably be held that they did not in fact so think.

67. The distribution by lot took place in December 1613. The charter granting the lands to the Irish Society had been sealed in the previous March; and on the 30th September 1615 the King grants his license in mortmain authorising the Irish Society to convey to the Companies, reciting the disbursements by the Companies and founding itself expressly on the motive (among others that the Companies "might in future times reap some gain and benefit "of their great travails and expenses taken and bestowed therein." Mr. Walker admitted and we think it is indisputable that this license was intended for the purpose of furthering and carrying out what had been agreed between the Companies and the City and giving legal validity with the consent of the Crown to what had been arranged between the Companies and the City. Lord Langdale in his judgment in the Skinners' case speaking of this license says: "The Companies of London were then recognised by the Crown as parties interested in the "plantation as undertakers." The license speaks of the Companies as intending *so far forth as to them shall seem convenient* to be at future charge for the planting bettering and improving the lands. The amount of the expenditure if it was not to result in gain to the Companies would not in all probability have been left to the determination of the Companies, especially as under the charter the Irish Society not the Companies were the trustees to manage the plantation.

Mr. Walker's speech, p. 341.

Appendix, No. 28, p. 541.

68. We are therefore of opinion that the arrangements between the City and the Companies contemplated that the Companies should hold beneficially and that the license in mortmain recognised these arrangements.

69. A good deal of argument was founded on the source from which the 20,000*l.* which the City agreed to spend on the plantation arose. The Committee which reported to the Common Council on the 15th December 1609 after recommending that the sum should be 15,000*l.* only say: "And for the raising of this sum we held the fittest course "to be by way of Companies and in Companies by the pole according to the rate of corn set upon every Company."

Skinners' Case, App. Appx. p. 48.

70. The Corporation of the City of London appears at this time to have had or at least to have exercised a somewhat questionable power of levying money on the Companies. Inasmuch as the Companies had practically the control of the constitution of the Corporation the purposes for which money was so levied were practically the purposes of the Companies. For the purpose of internal management the Corporation had other means of raising what was required. The Companies were also bound to keep up a supply of corn for sale to the inhabitants of London and the burthen of this was distributed among the Companies according to their wealth and numbers. The recommendation of the Committee refers to this corn rate as affording a proper criterion by which the burden of the proposed plantation should be distributed.

Ev. p. 419.

71. But the recommendation says also "and in Companies by the pole." Upon this a great argument was founded by Mr. Walker. He said that the money paid for the plantation did not come from the corporate funds of the Companies; that the Companies did not advance one penny out of the Corporate funds; and he repeated this assertion many times in his argument before us. And upon this he argued that the money was public money levied by a tax on the citizens of London and that consequently the lands purchased or acquired by this money cannot be private property. But we have not seen any evidence that the money was in fact raised from individuals and not from the Companies beyond the expression "and in Companies by the pole." It is clear that the subsequent documents treat the money as having been the money of the Companies for instance the precept of the 31st January 1610 addressed to the wardens of the several Companies concerned, in language quoted by Mr. Walker himself immediately afterwards, runs as follows: "And forasmuch as the Governor and Committees for the plantation in Ireland are now "instantly to take care for the letting and disposing of the said lands in the said county of Coleraine and the said "other lands so undertaken to be used and managed for the benefit of this city which would otherwise prove a great "hindrance and loss especially for that the time of year is now most convenient for the plantation to proceed yet it "is thought fit that the offer of these lands be first made to *the several Companies of this city who have and are to* "*disburse the same and bear the charges of building before mentioned.*" These are therefore to charge and command you "that yourselves together with the assistants and such other of your Company as you shall think fitting do forthwith "assemble together and advise whether you will accept of a proportion of the same lands *according to the quantity of* "*your disbursements* to be by you undertaken and managed according to the printed book for plantation." The matter is treated as a matter for the Company and not for the individual members thereof; the decision required is the decision of the Company as a whole; it is not put or directed to be put to each individual member; and moreover the notion of taking the land as a return for the disbursements is indeed consistent with the Companies' disbursements not being entirely voluntary but is wholly inconsistent with the idea of a mere ordinary tax on the individual citizens.

Mr. Walker's speech, Ev. p. 336.

e.g. Ev. p. 337,

Evid. p. 337.

72. In many other documents the matter is treated in the same way. It is unnecessary to quote them all; the recitals in the charter of King Charles are a prominent instance and others may be found in the references given below:

Minute of Common Council of 10th July 1611.
Ditto of 15th September 1612.
Ditto of 30th April 1613.
Ditto of 24th June 1613.
Ditto of 17th December 1613.
Mr. Drury Miller's statement before the Committee of 1889. *Q.* 263.
Letter from the Privy Council to Chichester of 20th January 1614.
And numerous orders to commit *the wardens of* several Companies for non-payment of sums *assessed on their Companies.*

Cal. St. Pap., Ir. 1615-1625 p. 2.

73. That a Company might obtain what was wanted by subscriptions among its own members or by way of loan to be repaid when the common stock should suffice is extremely probable, and according to Mr. Saunders this was what took place in the Skinners' Company; but this would be a matter of internal management which concerned the Company and its members solely.

Q. 5446.

74. It is not clear what was meant by the expression "and in Companies by the pole." The ordinary notion of a poll-tax involves equality of taxation per head but we have seen no evidence that the supposed tax bore this character. It may be that a poll-tax was contemplated but that the plan was afterwards changed. The expression is coupled with other words and in fact runs as follows: "And in Companies by the poll according to the rate of "corn set upon every Company." It may mean that as the burthen of the corn rate was as between the Companies affected by the number of members which each Company contained so as between the Companies the more numerous and therefore more wealthy Companies should bear a greater proportion of the burden of the plantation. Or it may mean simply "*inter se*" or by poll of Companies not by poll of individuals. Either of these two explanations would give a meaning to the expression which would better agree with the subsequent history of the levies but we cannot come to any definite conclusion as to what it really meant; which is perhaps not surprising after the lapse of so long a time.

75. It cannot be denied that the contributions of the Companies were not at all events in the first instance voluntary but were enforced against reluctant parties by the power of the City by what Lord Langdale in the Skinners' case (hereinafter mentioned) calls "a somewhat questionable power of taxation." But he says also: "It "is apparent that the Companies were understood to have an interest in the sums they were compelled to pay." "It was intended and understood that the Companies of London were with the burden of undertaking the plantation "of such lands as may be allotted to them to receive such benefits as were offered to and might be realised by other "undertakers on the conditions proposed by the original book for plantation accompanied by such additional "advantages and protection as were intended to be secured by the power and interest of the City of London and "by the constitution of the Irish Society and the power conferred upon it." "The Companies were intended to "profit in the way that I have mentioned."

Appendix, No. 28, p. 539.
Appendix, No. 28, p. 540.
Appendix, No. 28, p. 540.

Lord Langdale, therefore, did not consider that the fact that the contributions were compulsory was inconsistent with the Companies holding their lands beneficially in the same way as the private undertakers would hold theirs. And we see no reason to suppose that he was mistaken on this point.

76. Mr. Walker relied on the letter of King James to the Deputy dated the 25th March 1615 complaining of the slow progress of the works and suggesting that he may find it necessary to resume possession of the lands of those who had "failed to perform according to our original intention the articles of plantation and to bestow them "them upon some other man more active and worthy of them than themselves." In the first place this letter applies to the undertakers in all the six counties. And in the next place the punishment proposed viz. resumption would cause little alarm in the mind of mere trustees and is altogether inappropriate as a remedy for a breach of trust.

Mr. Walker's speech, p. 341.

Further this letter appeals to the general rules for the plantation. It is written after the charter and only a few months before the license in mortmain. So that we must conclude either that the cause of complaint had been removed before the license in mortmain (in which case they must have been of a temporary character) or that notwithstanding the charter to the Irish Society the King still appealed to the "Articles of Plantation" and not to the supposed trusts in the charter.

We do not see that this letter aids Mr. Walker's argument.

77. The letter is only one of a series of analogous documents which show that the plantation in Ulster and that in the county of Londonderry in particular was closely watched not only by King James and King Charles but also by other persons. Unless it be supposed that no profits were made down to the resumption by King Charles they must have been applied in a way with which no fault could be found by persons desirous of finding fault.

This will appear by consulting the references given in the list of references to the Calendars of State Papers for Ireland which will be found in the Appendix. The complaints made relate principally to the failure to remove the natives. Among other things it appears that the idea was entertained of a general alteration of the patents of the Ulster undertakers by which their rents should be doubled in consideration of a mitigation of their strict covenants. This seems to imply that profits were being made. Sir Thomas Phillips seems to have busied himself much with the affairs of the Londoners and to have suggested the idea afterwards carried out of forfeiting their grant. He had been compelled to surrender to them certain lands in his possession though Chichester in vain tried to persuade the Londoners to forgo this claim. Perhaps he owed them a grudge on this account. At all events the State Papers show that he was always very wide awake to their shortcomings and besides obtaining several commissions to inquire into their conduct he procured himself to be appointed by the King to see to the execution of certain recommendations with a salary of 200 *l.* per annum for doing so to be paid by the Irish Society.

Appendix, No. 25. St. Papr. Ir. 1615–1625, p. 357. St. Pap. Ir. 1615–1625, p. 429. St. Pap. Ir. 1611–1614, pp. 340, 341. St. Pap. Ir. 1615–1625, pp. 527–9.

It seems to be a not improbable conjecture that all this led up to the Star Chamber informations. At all events when those informations were filed the King and his Government were in the possession of a vast body of material out of which to frame their charges.

78. The record of the Star Chamber proceedings shows two informations one against the Corporation of London and Tristram Berisford William Turner Nicholas Leate and Clement Mosse and the other against the same parties and the Irish Society and William Dyvs. It recites that all or the greatest part of the territories and lands of the Province of Ulster became forfeited and escheated and that King James having certain objects in view determined to distribute the same and to convey the same for small and easie rents among his subjects who should seek to take the same under such conditions and provisions as tended to the advancement of religion the honour of his Majesty and the peace and safety of Ireland. The objects here recited are as follows :—

Appendix, No. 15.

"For the enlargement of God's Church and establishing of the true religion in those parts which is professed "and maintained by the Church of England and for the future settling and preservation of the peace and safety of "the kingdom which for many years before had been miserably wasted and torne with intestine wars and rebellions "and to reduce the nations who at that time were rude and rebellious into civility and due obedience to the crown "of England to draw those naturally fertile lands and possessions into culture and strengthen the same against "foreign invasions by making and maintaining the forts an | fortifications in convenient places."

This is not in the same terms as the recital of the King's objects in the charter of 1613 but it applies to the lands conveyed by that charter. It treats these objects as covering all the six counties. If therefore the lands in the other five counties were to be held beneficially then this record must be considered as not treating the recital of objects as creating a trust which would exclude the holding of the lands beneficially. Moreover though reciting objects it nevertheless treats something else viz. the conditions and provisions as that by which the duties were created.

79. The record then proceeds: "And to manifest his Highness's royal intention to all his loving subjects he "caused a public declaration to be printed here in London in the year 1608 entitled A Collection of such Orders "and Conditions as are to be observed by the Undertakers of the escheated lands in Ulster in the Kingdom of "Ireland whereby his said Majesty amongst other things did especially provide for the planting of those lands "with British inhabitants or inland Scots and that none of the undertakers should alien their proportions or any "part thereof to the mere Irish or to any that should refuse the oath of supremacy. Whereupon many parts of "said Province of Ulster *were undertaken* and planted accordingly. But that part of the said province now known "by the name of the county of Londonderry lying most northerly and most subject to the invasions of foreign "enemies and to the rebellions of the natives containing many thousand acres having within it divers goodly rivers "loughs havens and divers great woods and timber trees of fair and goodly growth fit for service *being not undertaken* "to be planted the Lord Mayor Cominalty and citizens of London being persons in whom his late Majesty reposed "an especial trust having formerly considered of several motives sent over out to Ireland by the Lord Deputy "Chichester in May 1609 *to induce them to undertake* the plantation of that part of the said province and having also "sent over several able and judicious persons by their own appointment to survey the same lands and finding the "same to answer their expectation *resolved to become undertakers* and planters thereof."

This passage seems to treat the City of London as "undertaking" in the same sense as "undertakers" in the other parts of the province.

80. The record then recites a warrant to the Attorney-General dated the 5th August 1610 and charges that by colour of this warrant the Corporation of London unduly procured to be drawn and to pass the Great Seal the charter of 1613. It charges that the clause in the charter relating to election of the members of the Irish Society was without warrant and prejudicial to his Majesty that too much land was granted and that the grant ought to have

have been made to the Corporation of London and not to the Irish Society. It further charged that the grant was made "without any covenant therein for the performance of the seven and twenty articles agreed on" thus treating the articles of agreement as superseded. It charged neglect to remove the native Irish and recites divers remonstrances from the King on this point "declaring his great dislike of the slow progression of the plantation in those parts and "especially the undertakers generally retaining the Irish still upon their lands the avoiding of which was the "fundamental reason of that plantation." It charged that Popish priests were allowed to reside that the duty of building according to the articles had been neglected that only 500 acres had as yet been laid to the town of Coleraine and only 15,000 acres to the Derry that the fortifications were neglected and the repair and defence of the Castle of Culmore that the defendents had neglected until 1627 to allot and assure glebes to the incumbents that they had not made a competent number of freeholders so that the labourers and leaseholders were forced to serve on juries and that the defendents had despoiled the woods in Glankonkeine and Killetragh. The distribution among the Companies is noticed but no charge on that head is made. The sentence inflicts a fine of 70,000 *l.* upon the Corporation of London and the Irish Society and orders the charter to be delivered up to be cancelled and after noticing that "the greatest part of the said lands had been passed over by the Irish Society to the Companies and by them devised "unto several farmers who were not defendents and therefore not liable to their Lordships' censure although in the "opinion of the Court they might justly have been censured if they had been parties to either of the informations" the Court proceeds to direct that if the Companies and their farmers should not surrender their estates the Attorney-General should exhibit an information and bring them also to the judgment of the Star Chamber.

81. It is impossible to read this record without perceiving that the idea of a breach of any such trust as has been suggested before us was entirely absent from the minds of everybody at that time. In particular that part which relates to the farmers of the Companies is inconsistent with the notion of a trust for the tenants. None of the charges are founded on breach of trust though we can hardly doubt that a charge on that head or on any other point that offered itself would have been framed by the advisers of the Crown. The remedy, resumption of the grant, is utterly inappropriate for enforcing the performance of a trust for it destroys the rights of the beneficiaries together with those of the trustee, the beneficiaries suffer while the trustee only loses a burthensome office, and the beneficiaries (if any) were not before the Court.

82. It seems also to imply what is otherwise probable that profits were in fact being made for if the undertaking had been at that time unprofitable there need not have been so much trouble taken to obtain a resumption nor would King Charles in his impecunious position have cared to take it. The indirect profits mentioned in the Motives and Reasons, which Mr. Walker argued were to be the only profits would not be much affected by the resumption, for it cannot be supposed that the King intended to let the whole country relapse straightway into barbarism. But if the Companies were really enjoying by way of profit a surplus of rents and profits over current expenditure the fact that no charge of misapplication was made is a very important fact.

83. The writ of *scire facias* was dated the 28th November 1637. It is in Latin and (as translated) opens with a recital to the following effect: "Whereas the province of Ulster in our realm of Ireland much depraved with "superstition and infected with frequent rebellions had lately been torn and wasted by intestine and domestic war, "and although intrinsically fertile and fit for cultivation had nevertheless for years lain uncultivated and as it "were desert and suffering from the attacks of foreign enemies so that it was grieviously afflicted with poverty and "calamity. And whereas our dearest father the Lord James late King of England of blessed memory was seised "of the city or town of Derry in the province aforesaid and of all and singular the castles manors lordships towns "townships hamlets lands tenements waters watercourses rivers ports meadows woods moors territories and "hereditaments now or lately made and united or expressed to be made and united into one county and now known "and called by the name of the county of Londonderry and of divers other manors lands tenements and "hereditaments in the said province of Ulster in his demesne as of fee in right of his crown of Ireland and being so "thereof seised and deeply and heartily commiserating the deplorable and miserable state of the said province "nothing more concerned the said late King than the new plantation of the province aforesaid with British that is "to say with English and inland Scots under conditions and provisions to be declared by the said late King and that "the same province should be recalled not only from the superstition and rebellion with which it had been depraved "and infested but also from the calamity and poverty which which as before mentioned it was grieviously afflicted "to religion obedience health and prosperity and whereas that all the subjects of the said late King might better "know his will in that behalf the said late King in the year 1608 at London in the parish of the Blessed St. Mary-"le-Bow in the ward of Cheap caused to be printed certain articles for the plantation aforesaid entitled a "Collection of such Orders and Conditions &c." Skinner's Case, Resp. Appx. pp. 416–432.

Here we find a recital of the King's objects but in order to know them his subjects are stated to have been referred to the Orders and Conditions; although this is a matter concerning the lands comprised in the charter of 1613 the reference is not to the recital in that charter but to the "Orders and Conditions."

84. The writ of *scire facias* then recites that the Corporation of London "burning with an ardent zeal agreed "to promote such pious intention of the said late King in that behalf as they asserted afterwards to wit on the "28th January 1609" (i.e. 1609–10) "undertook that part of the said plantation in the province aforesaid which is "now called the county of Londonderry and for that purpose on the 28th January 1609 aforesaid at London in "the said ward and parish by certain articles then and there made entituled Articles agreed upon the eight and "twentieth day of January 1609 &c." Here the undertaking by the City is again treated as similar to that of the undertakers in the rest of the province.

85. The writ then recites the Articles of the 28th January 1609–10 and also recites that the Corporation of London under pretence of a due observance of the said Articles unduly and deceitfully obtained and procured from King James the charter of the 29th May 1613. It then recites fully this charter including the recital of the King's motives therein contained which as will be seen does not agree except in a general way with the King's motives as before stated in the writ itself.

86. The writ then charges that the Irish Society ought not have been the grantees that too much land was granted that certain advowsons were wrongly included in the grant that the charter contained "no clause covenant grant or "proviso" whereby the Corporation or the Irish Society "were bound or held to the said late King his "heirs and successors for the observance of" the Articles the neglect to plant with English and Scotch and the retaining of the Irish "by which the aforesaid pious intention of the said late King expressed in the aforesaid "preamble of the said charter to wit to recall the said province of Ulster from superstitious rebellion calamity and poverty "to religion obedience health and prosperity could not in that part of the said plantation be fulfilled" (thus indicating pretty plainly how the pious objects recited in the charter were expected to be attained) "contrary to "the aforesaid undertaking of the said Mayor Commonalty and citizens of London and against the force and effect "of the said printed Articles." Here again the charge is not breach of the objects but breach of the Articles whereby the objects were defeated. In lawyers' phraseology the substantive charge is breach of the Articles the defeating of the objects is matter of aggravation merely.

87. The writ then charges failure to maintain the ward at Culmore neglect in building neglect to build with fit fortifications the houses already built failure to annex the 4,000 acres to Derry and the 3,000 acres to Coleraine failure to fortify Derry with walls and gates and conversion of the timber in Glanconkeine and Killetragh.

This last charge is stated as follows: "The aforesaid Society of Governors and Assistants London of the New "Plantation in Ulster within the realm of Ireland" (viz. the Irish Society) "every year from the time of making the "aforesaid letters patent and each Company of the aforesaid twelve Companies every year from the time of the said "grant

" grant and assignment to them respectively made down to the present time have respectively cut down in Glancon-
" keine and Killetragh aforesaid that is to say between the said county of Coleraine and Ballinderry timber trees—to
" wit 500,000 oaks the value of each thereof being ten shillings 1,000 elms the value of each thereof being 6 *s.* 8 *d.* and
" 100,000 ash the value of each of them 5 *s.* in Glanconkeine aforesaid 500,000 oaks the value of each of them 10 *s.*
" 1,000 elms the value of each of them 6 *s.* 8 *d.* 100,000 ash the value of each thereof 5 *s.* in Killetragh aforesaid."

88. The defendants were the Corporation of London the Irish Society and the twelve great Companies and they alone were served with the writ. Judgment went by default and was pronounced in Hilary term 1637 to the effect that the charter should be revoked cancelled and annulled and the premises granted should be seized into the hands of of the King.

89. Now upon this proceeding it must be observed that as in the Star Chamber proceedings there is no hint of any idea of enforcing a trust. The writ of *scire facias* was not the proper way to enforce a trust it was in the Common Law side of the Court of Chancery whereas any proceeding to enforce a trust would have been on the Equity side. The beneficiaries (if any) were not parties though their rights were wholly defeated by the resumption of the grant.

90. However unjust the Star Chamber proceedings may have been the Government nevertheless were careful to pay outward homage to the forms of justice in the way in which the Companies and their farmers were treated in those proceedings and if in the *scire facias* proceedings there had been any idea of the existence of beneficaries other than the actual defendants it seems highly improbable that similar care would not have been taken that they should be before the Court which was destroying their rights.

91. Inasmuch as in these *scire facias* proceedings judgment went by default Mr. Lea argued before us that this amounted to a confession of the charges against the defendants; and in arguing that any moneys spent by the Companies upon the plantation had been long since repaid he relied upon the charge as to the timber and contended that the Companies had received over half a million pounds from this wrongful conversion of the timber. He omitted to notice that the timber in question was only in Glankonkeine and Killetragh and therefore his argument could not effect those Companies, by far the greater number, whose portions lay completely outside these districts of Glankonkeine and Killetragh. But in fact these " thousands " are a mere form of pleading which was in use down to comparatively recent times. Indeed if the pleading is to be taken *au pied de la lettre* Mr. Lea was studiously moderate; his £. 500,000 should in the first place have been mutiplied by 24 since on looking at the pleading it would be seen that it is alleged to have taken place *in every year* from 1613 to 1617 and then multiplied again by 13 since it is alleged to have been done separately by the Irish Society and by each of the twelve defendant Companies.

Mr. Lea's speech, pp. 353, 356.

We do not think that the use of the forms of pleading customary in old times is of any importance whatever.

92. The charter of King Charles II. is the real root of title to the estates both of the Irish Society and of the Companies. Their estates were in the hands of the King. It was in his power to impose any fresh duties or to define any ambiguous or doubtful trust. The claims of the Companies had been openly and constantly made their rights had been in litigation and their conduct had been throughout closely scrutinised. It is only reasonable to suppose that if the King had had any attention of depriving the Companies of the rights which they had claimed or of fettering the Irish Society in the discretion which they had exercised if the distribution of the lands among the Companies had been deemed erroneous or if in an any other way the " objects " of the former charter had not been properly carried out we should not find the charter of Charles running in almost precisely the same form as that of James. There are differences no doubt between the two but Mr. Walker could point to nothing in the charter of Charles as supporting his contention of a trust except a recital showing an intention to restore the former position of affairs as it existed before the repeal of King James's charter. It was a restoration no doubt but it was a restoration which implied approval and condonation of everything done up to that time.

93. But in truth the difference between the charter of James and that of Charles if they are admissable evidence on the construction and effect of the latter charter rather support the contention of Mr. Latham. The charter of Charles recites that the former charter had been granted " for and under such several rents services tenures
" reservations covenants conditions and other articles clauses and agreements as in the said letters patent are
" mentioned and comprised." It does not mention and by inference excludes obligations to be traced in other documents outside the charter.

94. It recites the grants by the Irish Society to the Companies (which grants must if Mr. Walker's arguments are correct have been a breach of trust) " according to their several disbursements " but retaining " such part of the
" same tenements and hereditaments as were not properly divisable for the defraying of the charge of the general
" operation of the plantation." It recites the cancellation of the charter by the *scire facias* " by reason whereof the said Society of the new plantation and the said Companies of our City of London *and their respective assigns and* " *under-tenants* " were deprived of their lands (thus treating the Companies as capable of having " assigns " as well as under-tenants although according to Mr. Walker's contention they could only have had the latter). It recites that the Companies had expended great sums of money upon the plantation although Mr. Walker insisted that they did not spend a penny. And the charter is expressly granted " to the intent that the said Society of the new
" plantation or some other such Society by these our letters patent to be created and made *and the said Companies*
" of the City of London and their respective *assigns* and under-tenants may according to their former several rights
" and interests therein be restored to all and singular the said county cities towns castles territories lands tenements
" royalties franchises privilages and immunities whatsoever with their and every of their appurtenances so vested in
" them by force and virtue of the said letters patent and the said several *grants by the said Society of the new plantation*
" *and other Companies* respectively theretofore made as fully *and beneficially* to all intents and purposes as they might
" have had and enjoyed the same if no repeal of the said letters patent had ever been had or made. And to the
" intent that there may be a new Society made of the new plantation in Ulster aforesaid consisting of the like
" number of honest and discreet citizens of our City of London as the other and former Society formerly consisted
" of and that a new incorporation of the said city or town of Derry be constituted and for the further and better
" settling and planting of the said county towns and places with trade and inhabitants we of our special grace
" certain knowledge and mere motion " &c.

95. The intent and object therefore of the charter of King Charles included the restoration of their lands to the Companies, which is unintelligible if they had been and were to be merely alienees with notice of a breach of trust; and not only the restoration to the Companies but to their assigns and under-tenants. Upon this a dilemma would seem to arise. If the recital of objects creates a trust here is a trust for the Companies and for their alienees so that alienation is recognised by the very trusts of the charter. But if a recital of objects does not involve a trust for that purpose then Mr. Walker has failed to establish a trust against the Companies by virtue of King James's charter for he could point to no part of the charter for that purpose other than the recital of the King's objects.

96. No doubt there are in the charter of King Charles the words " for the further and better settling and
" planting." These words imply that the " settling and planting " whatever was meant by these words was not a thing which had then been completely performed. It does not follow that it was a thing which in its nature was incapable of ever being completely performed. And even if it were this meaning might be satisfied by the public duties of government mostly indeed repeated from the charter of King James which the charter of King Charles imposed on the renovated Irish Society. The words " further and better " imply that what had been done already must be included in the meaning of settling and planting and considering the general recognition of the conduct of the Irish Society

Society and of the Companies which was involved in the granting of Charles's Charter we think that the "further ' and better settling and planting ;" was probably intended to be better effected by all the parties going on as they had been doing before the repeal.

97. There is indeed reason for doubting whether the recital of objects in King James's Charter is legally sufficient to create a trust. It does not seem to be true as an universal proposition that a recital of objects in a Crown grant must necessarily create a trust. The Virginia Charter granted in 1606 was cited to us by Mr. Rigby. It contains a recital of public objects which seems at least as strong as that in the Charter to the Irish Society, but it has never been considered to prevent grantees under it from holding beneficially. And the Calendar of State papers shows a grant dated the 4th April 1620 of a lottery to one Henry Southey commencing with a recital in the following words: "Forasmuch as the keeping of a lottery in Ireland may greatly tend to the increase of civility (by the "nourishment of a friendly concourse and amity) as also the honest delight of the King's Irish subjects." We hardly think it could be contended that by reason of this recital of public objects Henry Southey was to be a mere trustee of the profits of his lottery.

Mr. Rigby's speech, Ev. p. 407.

St. Pap. Ir. 1615–1625, p. 279.

98. At the snme time inasmuch as the recital in King James's Charter was together with the public duties imposed on the Irish Society by the body of the Charter certainly quoted by Lord Lyndhurst in his judgment in the Skinners' case in 1845 as supporting his view of the position of the Irish Society we cannot say that in the case of this particular Charter the recital may not be sufficient by itself to create a trust. It may very likely be sufficient to do so, but if it be not then the principal part of the case against the Companies breaks down though the Irish Society would not be the less liable to perform the public duties imposed upon them in the body of the Charter.

99. A question was raised as to the meaning of the words in one of the recitals of this Charter which speak of the Irish Society as having retained in their own hands "such part of the same tenements and hereditaments as "were not properly divisible for defraying of the charge of the general operation of the said plantation." It was suggested that the test of propriety here referred to was not the discretion of the Irish Society but the nature and geographical position of the property retained being townlands and fisheries admiralty rights and the like. It certainly seems that these matters would not by their nature lend themselves readily to division but this cannot be said of the timber and mineral rights reserved out of the lands distributed to the Companies which rights so far as their own nature is concerned would be as readily advisible as the lands out of which they were reserved. So far therefore as these words "not properly divisible" relate to these timber and mineral rights they must refer to the discretion of the Irish Society and not to the nature of the subject matter or its geographical position.

Double column copy, p. 2.

100. The Charter of Charles gives express power to the new Irish Society "to give grant demise and assign "land tenements goods and chattels" in the same form as that in King James' "Charter under which the alienations "to the Companies had been made which the Charter of Charles as we have mentioned expressly recognised. The "power is therefore not merely repeated but repeated with an interpretation."

Double column copy, p. 10.

The clauses in King James's Charter as to endowing the incumbents are omitted from that of King Charles. The clause as to the timber in Glankonkeine and Killetra is repeated and the observation made upon it by Mr. Latham has force in it that if the whole of the rents and profits of all the estates were by the Charters devoted to public uses there does not appear any reason for a special declaration of such a trust upon this particular timber.

Mr. Latham's speech, p. 370.

There is also a special clause at the end of the Charter of King Charles which contains a general release to the Corporation of London and to the Companies and speaks of the latter as having "purchased" their lands.

101. In reference to this description of the transaction by which the Companies obtained their lands a question was raised whether any money was passed to the Crown beyond the rents reserved by the Charter. The Crown had stipulated that the City should pay £. 20,000 of which £. 15,000 was to be employed in buildings fortifications and otherwise upon the plantation. This may be considered as paid "for the use of" the King. An illustration of this idea occurs in the remonstrances of Sir T. Caulfield when called upon to surrender certain lands to the Londoners ; he claims to have paid dearly for those lands in the charge borne for buildings (St. Pap. Ir. 1611–1614, p. 550). The King stipulated for this £. 15,000 as a minimum of expenditure ; and it was to be incurred for the pacification of the province, which was the King's wish and perhaps his duty. The remaining £. 5,000 was to be paid in respect of "the clearing of private men's interests." The King bound himself to buy out or otherwise clear off all other persons' interests and instances of his doing so in the case of Sir T. Caulfield and Sir Phillips have been already mentioned. Whether the £. 5,000 was intended to be specifically appropriated to this purpose or was only to be a general payment to the King in consideration of the King clearing off these interests may be doubtful. There is a letter of Chicester of 15th August 1611 in which he speaks of the payment of £. 130 by the Londoners "it being the remainder of the £. 5,000 they were to give towards the compounding of titles." This £. 130 was to be appropriated towards a payment of 1,000 marks which the Government had "with much labour brought the "inhabitants of Derry to accept in lieu of their estates and interests in lands and tenements" there.

Ev. p. 370.

St. Pap. Ir. 1611–1614, p. 93.

Ibid.

102. The next important document is King Charles's licence in mortmain dated 7th April 1663. In its operative part this follows almost word for word the language of King James's licence in mortmain but the differences in the introductory recitals are important. King Charles's licence recognises the distribution by the Irish Society among the Companies, the expenditure by the Companies, the fact that the Companies had held and were to hold beneficially, and their right to alienate. It recites, "Whereas the said Society by virtue of the said letters patent and of a licence "from the said late King James our royal grandfather . . . . did grant unto the twelve chief companies of "London in the said licence and hereinafter in these presents mentioned who had borne and were to undergo the "greatest charge of the said plantation several great quantities parcels and proportions of the said lands tenements "and hereditaments according to their several disbursements" thus expressly recognising that the distribution by the Irish Society among the Companies had been made by virtue of the Charter of James. This supports the view of Lord Justice Fitzgibbon that the grants to the Companies were under the Plantation Trust. The licence also recites that the Charter of 10th April 1662 had been granted "to the intent among other things that the several "Companies of London who had laid out and disbursed vast sums of money in building and planting the premises "*and their respective assigns* and under tenants might be reinstated and reinvested in all and singular the castles "manors lands tenements royalties and privileges and all and singular other the premises with the appurtenances "according to their respective interest therein as fully *and beneficially* to all intents and purposes as though no such "repeal of the said letters patent of King James had ever been had or made." It then proceeds : "We therefore "being willing that the said several companies guilds or fraternities hereafter mentioned may receive the full benefit "of our said gracious intention and be severally and speedily reinvested and reinstated in all and singular the "castles manors territories lands tenements royalties and all and singular other the premis s with the appurtenances "whereof they were dispossessed as aforesaid *and thereby receive some gain and benefit of their great travail and expense* "*taken and bestowed thereon* have, &c.

Appendix. No. 26.

Q. 1634.

103. The "assigns" and "under-tenants" of the companies are mentioned but no *cestui que trust* and there is nothing in this licence of King Charles which implies any future or continuing duties or trusts. But the licence of King James spoke of the companies not only as having disbursed great sums but as intending "to be at further "charge for the planting bettering and improving" their lands it contemplates "their better more orderly and "speedier proceeding therein" it speaks of their intention to build and plant of their "laudable intentions "for the performance and finishing" of the plantation. All this is omittad from King Charles's licence from which it may be inferred that he and his Government considered the "plantation" which was in progress in 1615 to have been completed so far as regarded the Companies' lands or any duty of "planting" which might formerly have rested on them as "undertakers."

Appendix No. 11.

104. We cannot but come to the conclusion that in the time of King Charles II. there was no intention that the Companies should hold otherwise than beneficially; that the documents of this time show that the King and his advisers construed the earlier documents as imposing no duty on the companies which had not been completely performed by 1663; and that so far as the earlier documents were incorporated by the later they were at all events only intended to be so incorporated with that construction.

105. The re-grants to the Companies which were thereupon made by the Irish Society in accordance with the intention in that behalf recited in the Charter of Charles and his licence in mortmain contain nothing inconsistent with this conclusion. On the face of them they impose no trust whatever. They reserve to the Irish Society the same rights as had been reserved by the corresponding grants in the time of King James for which we can perceive no reason if what was granted and what was reserved were alike subject to one over-riding trust.

106. Moreover the reservation to the Irish Society of the right to take timber and stone is expressly mentioned to be of so much as should be required for certain public purposes and is only intelligible on the hypothesis that but for such reservation the company out of whose grant the reservation was made would apply the timber and stone to its own purposes.

107. The claim of the Companies to be absolute owners of their lands has not been a claim which has remained without exercise, without dispute, or even without recognition to a certain extent in the Law Courts. We have mentioned the cases in which at different times since the Charter of King James sales have been made by some of the Companies.

108. Upon all these sales if the Companies had not a good title themselves they obviously could not give a good title to their purchasers. The titles of Lord Waterford who bought from the Haberdashers' of Lord Shelburne who bought from the Goldsmiths' of Sir Hervey Bruce who bought from the Clothworkers' and of the tenants who have recently purchased from the Salters' Drapers' and others would all be bad unless some reason can be suggested to distinguish their cases. The Statutes of Limitation might of course help in the case of those purchasers who bought in the seventeenth and eighteenth or the first half of the present century but it would hardly help those who bought since Lord Ashburne's Act. And if it helps anybody we do not see why it should not equally help the Companies themselves. Mr. Walker assumed what is by no means clear that notice of the trust would prevent the Companies from setting up the Statute of Limitations. If this be so why should it not also break down the defence of Lord Waterford Lord Shelburne and the rest if it could be established against them? Do all these titles really depend for their validity on the want of notice of King James's Charter? So that the question really is a serious one for others besides the Companies. Mr. Walker felt the force of this point and he ingeniously suggested that the purchaser from the Company would be free from the trust and that the money he paid would alone be subject to the trust in the hands of the vendor Company. There is no foundation for any such argument where the alienation is in the breach of trust. Certainly if the alienation is made not in breach of trust but in accordance with the trust the trust would be transferred from the land to the proceeds but it would have been fatal to Mr. Walker's argument to allow that the sales to Lord Waterford and the rest were not breaches of trust. If on an alienation in breach of trust the trust is transferred from the lands to the proceeds then we do not see why the Companies should not have the benefit of the argument and on that footing claim to hold their lands discharged from the alleged trust which affected the Irish Society and to throw Mr. Walker and his clients upon the £. 60,000 paid to the Irish Society or the Corporation of London.

Mr. Walker's speech, p. 348.

109. The sale by the Goldsmiths' to the Lord Shelburne took place in the year 1728. Lord Shelburne appears to have acted in the manner in partnership with or as trustee for two gentlemen named Edward Riggs and James M'Culloch. He entered into a written contract to purchase dated the 7th March 1728. He took objection to the title of the Goldsmiths' to sell and refused to complete his purchase. Thereupon proceedings for specific performance were taken by the Goldsmiths' Company against him and were strenuously resisted. The decree of the Lord Chancellor in this suit was made on the 1st July 1730 and ordered a reference to the Master to see if a good title could be made by the Goldsmiths'. The Master reported that the "Goldsmiths' Company can make and convey a "good title to the said lands to the Earl of Shelburne provided the Society of the Governor and Assistants of "London of the New Plantation in Ulster within the Realm of Ireland" (this is the legal title of the Irish Society) "join in the said conveyance." The Irish Society consented to join and the sale was completed in that way. These proceedings do not amount to a decision that the Goldsmiths' could make a good title without the Irish Society but they are certainly a decision that the Irish Society and the Goldsmiths' Company between them could sell to a purchaser and could force the title on him which they certainly could not have done if there had been any such trust attaching to the Goldsmiths' as has been contended for before us.

The document handed in by Mr. Latham (Ev. p. 372) is not printed by the Committee.

110. The Irish Society were willing to join and did join. But it appears that they demanded an indemnity from the Goldsmiths' and if this indemnity had recognised that the Irish Society were committing a breach of trust in so joining against which they required an indemnity it might have been an important fact as an admission against the Goldsmiths' Company. But there is nothing to show that there was any such idea afloat. The indemnity is in a common form and it may have been only for costs or it may have contemplated the rights of the other Companies' rights which in the present century came up for discussion in the Skinners' case. Possibly the covenant for further assurance contained in the original grant to the Goldsmiths' may have suggested the idea that the Irish Society might be liable to alienees of the Goldsmiths' if the Goldsmiths' had parted with their interest previously.

111. We confess ourselves unable to point with certainty to any reason for taking this indemnity. Inasmuch as if any particular danger had been foreseen it would in all human probability have been mentioned in the indemnity whereas in fact the document has nothing but the ordinary general words, the most likely explanations of the matter is that it was a mere formal precaution.

112. King Charles II. himself bought from the Irish Society in 1665 the customs which had been comprised in his Charter to them.

113. Upon the occasion of some of the sales which have been made of late years to the tenants under Lord Ashburne's Act, the titles of the vendor Companies have been passed as good by the Irish Land Commission.

And when the Clothworkers' Company were in 1871 contemplating the sale to Sir Hervey Bruce which was eventually carried out it was very much objected to by their tenants who took great trouble in the attempt to prevent it. A deputation of the tenants came up to London and presented memorials to the Clothworkers' to the Merchant Tailors' (who in the case of this property were associated with the Clothworkers') and to the Irish Society not indeed objecting to this Company's power of selling but complaining of their selling to Sir Hervey Bruce without giving the tenants the refusal who they declared would give a higher price. The deputation were supported by a resolution of the Coleraine Town Commissioners approving of the tenants' memorial but at the same time with perhaps more zeal than consistency resolving to send a deputation on their own account "to support it and to urge "the necessity of hastening the promised action of the Government in reference to the honourable the Irish Society "and the London Companies and thereby *prevent them from alienating* the property which they hold in trust for this "locality." This was in April 1871. Previously to this, viz., on the 3rd March 1870, the farmers on the estates of all the Companies had memorialised Mr. Chichester Fortescue then Chief Secretary for Ireland to inquire of the Companies

Appendix, No. 3.

Appendix, No. 3.

panies whether they would be disposed to sell their Irish estates on the terms of the Irish Land Bill then before Parliament.

The Clothworkers replied to these memorials by stating that their negotiations with Sir Hervey Bruce had gone too far to allow them honourably to draw back.

114. Thereupon a case was prepared and laid before the then Solicitor-General the late Sir George Jessel for his opinion together with a copy of a memorial intended to be submitted to Mr. Gladstone. The case states that the action of the Government in the case would depend very much on the answer to the question whether the Crown had a right to intervene and stay the sale of the estate to Sir Hervey Bruce and also that the Government would be disposed to go the full length they could to arrest the sale. We have not thought it worth while to inquire into the truth of these statements but they show that these men were very much in earnest. All the documents relied upon before us by Mr. Walker and Mr. Lea and by their witnesses who appeared before us were laid before Sir George Jessel including the Skinners' case hereinafter mentioned, as to the effect of which the case contains the following statement: "In that suit the Irish Society were declared trustees for the public purposes of the plantation "and *as to any residue after satisfying these public trusts* for the Companies." Upon this the case contains the remark that if the Irish Society are still trustees for the public purposes of the plantation it is difficult to understand how their grantees can be in a better position. This is exactly the argument which was pressed upon us by Mr. Walker. It will be seen therefore that the case laid before Sir George Jessel raised the same points as have been raised before us. And his opinion was asked on three specific questions. First: "Whether the Crown by the Attorney-"General has the right to interfere in the sale of this property by the Clothworkers' Company and if so whether "counsel would advise a bill by way of information at the suit of the Attorney-General to be filed?" This question Sir George Jessel answered in the negative. Second: "Whether the Clothworkers' Company can appropriate to "their own uses in the City of London the entire purchase money without reserving any portion of it for the "public use of the plantation in Ireland?" This question he answered in the affirmative. Third: "Whether the "Clothworkers' Company are trustees for any public general purpose connected with the plantation of Ulster or for "any other public purpose in the City of London or the county of Londonderry?" To which the answer was: "I answer this in the negative. I am of opinion that the Clothworkers' Company were in the same position as "individual undertakers in the other settled counties that is they are ordinary owners in fee simple subject only to "the reservations expressly contained in the conveyance to them and can therefore like other owners of fee simple "sell their own property for their own benefit to whom they please."

Appendix, No. 29.

Appendix, No. 29.

115. It was stated in evidence before us by Mr. Glover that the tenants of the Clothworkers' were dissatisfied with Sir George Jessel's opinion and laid the same case before Mr. Law (afterwards Lord Chancellor of Ireland) but without informing that gentleman of Sir George Jessel's opinion and that Mr. Law arrived independently at the same conclusion as Sir George Jessel.

Q. 5,996.

116. Of course these opinions are not legal decisions like the decision in the Skinners' case but they were acquiesced in and they were important as showing that two eminent lawyers did not consider the decision in the Skinners' case as being inconsistent with the claim of the Companies to hold their lands beneficially. Similarly Lord Justice Fitzgibbon in the very valuable evidence with which he favoured us stated that the Skinners' case gave no help in fixing a trust on the lands held by the Companies and that that litigation did not affect the Companies' lands at all.

Q 1,415. Q. 1,626.

117. The Skinners' case was a suit in Chancery brought by the Skinners' Company against the Irish Society seeking to have it declared that the Skinners' Company and the other companies who had contributed to the expenses of the plantation in Ulster were beneficially entitled to the rents and profits of the ferries fisheries and townlands remaining in the hands of the Irish Society and that the Irish Society were trustees of the same rents and profits for the Companies subject to certain payments and charges. The other companies interested and the Attorney-General and the Corporation of London were also defendants. After having been before the Court on an interlocutory application for a receiver the case came on for hearing before Lord Langdale then Master of the Rolls whose judgment delivered on the 19th November 1838 is reported in Beavan's Reports p. 602. A copy of this most important judgment substantially identical with Mr. Beavan's report will be found in the Appendix, No. 28. Lord Langdale decided that the Irish Society were a body invested by their Charter with large powers for public purposes some of which had not come to an end that the lands had been granted to them with a view to those purposes and that in the exercise of those powers they had a very large discretion for the exercise of which they were at all events not accountable to the Skinners' Company. Consequently the Skinners' Company failed. They appealed to the House of Lords who affirmed the decision (12 Clark and Finnelly p. 425).

Appendix, No. 28.

118. We think that this case has been a good deal misunderstood. It does not necessarily decide anything more than we have stated. But in the course of the judgments delivered which deal at some length with the documents and the history there are expressions here and there which if the language is not carefully attended to may seem to give some support to the arguments of Mr. Walker and Mr. G. H. Lea. Judges weigh their words with reference to the point which is before them and not with reference to what is not before them. The proposition that the trusts imposed on the Irish Society by their Charter excluded them from distributing portions to the Companies which the Companies should hold beneficially was not laid down by the Court and was not a necessary link in the reasoning of the Court but it was a necessary link in Mr. Walker's reasoning. The proposition that the duties imposed on the Irish Society constituted a trust which attached to every acre and absorbed every farthing of profit of the lands conveyed by the King to the Irish Society was not a necessary link in the reasoning of either Court but it was essential to Mr. Walker's argument. That this latter proposition was not considered by the gentlemen who applied to Sir George Jessel for his opinion in 1871 as having been decided by the Skinners' case is evident from the passage quoted above from the case laid before Sir G. Jessel, viz. "In that suit the Irish "Society were declared trustees for the general and public purposes of the Plantation *and as to any residue after* "*satisfying these public trusts for the Companies.*" This passage regards the decision as consistent with the existence of a beneficial interest in the Companies beyond the public trust. It probably rests on a passage in Lord Langdale's judgment which speaks of the Companies as "interested in any surplus which may remain after the "general purposes are answered." It was not necessary to decide whether the Companies were or were not so interested and it would be a mistake to treat this language of Lord Langdale's as settling the point. It is a mere *obiter dictum.* The Irish Society did in fact in early times occasionally make a division among the contributing Companies of surplus rents and profits in their hands arising from the undivided lands but of late years they have applied the whole of those rents and profits to public purposes. The question whether if the Irish Society were ever to declare a surplus the Companies could maintain a claim to it is of no practical importance at the present day and at all events cannot be treated as having been decided by the Skinners' case in spite of this language of Lord Langdale although Mr. Latham and Mr. Rigby both contended that it had been so decided.

Appendix, No. 29.

Appendix, No. 28, p. 543. Ev p. 389.

Mr. Rigby's speech, Ev. pp 408, 410. Mr Latham's speech, Ev. p. 390.

119. There is this further circumstance pointed out by Mr. Latham that in the Skinners' case the Crown was represented by the Attorney-General and heard the whole case and must have been well acquainted with the proceedings yet the Crown has never from the time of that decision to the present day thought fit to take any proceedings to enforce a trust against the Companies. The Crown therefore does not seem to have drawn the inference from the decision in the Skinners' case that the trusts affecting the Irish Society affected also the Companies.

Mr. Latham's speech, Ev. p. 375.

120. Under these circumstances we have come to the conclusion that the Skinners' case does not prove that the Companies do not hold beneficially but is consistent with their claim. Particular passages may be picked out of

the judgments which taken by themselves might seem to support different views on this point and the case was in fact claimed before us by each side as being in their favour but we cannot say that it decides either way the point before us.

121. The conduct of the Companies in the application of their rents and profits is as we have said quite as consistent with their being beneficial owners as with their being trustees.

122. We are therefore thrown back on the documentary evidence and upon this the question is a purely legal one as to which our opinion cannot prejudice as indeed it ought not to prejudice the rights of either side. The conclusion we come to is that the Companies were intended to be beneficial owners from the first and that there is no sufficient reason for holding that this intention was not legally carried into effect. The larger Companies are no doubt accountable to the smaller Companies who were associated with them in the same group for the shares of such associated Companies except where the shares of the associated Companies have been bought up as they have been in some instances; and the share of the Coopers' who were originally associated with the Ironmongers' seems to belong to the Corporation of London. Subject to this we cannot say that any trust affects the lands still held by the Companies or that they are subject to any obligations other than those of ordinary proprietors.

123. On this footing while no doubt the loss anticipated to the various local charities from the withdrawal of a Company by selling its estates if such loss occurred would be a misfortune to the district it is evident that the anticipation of their loss is based upon the liberality of the Companies in the past over that of an ordinary landlord. It would not be right to make this liberality a ground for placing restriction on the Company which would not be put on another landlord. The sales which have taken place lately have been sales to the tenants themselves under Lord Ashbourne's Act; and in 1882 Dr. Todd representing before Lord Derby's commission the claims of the tenants pointed out as one of the elements which would go to fixing the price which the tenants would pay that the tenants purchasing would have to pay all the local burdens and support all the educational religious and charitable institutions to which the Companies contributed but which a private purchaser might not assist in keeping up. So that at that time at all events the consequences of a Company withdrawing were not considered very serious. Similarly Dr. Wilson of the Presbyterian Church told us that if his Church had the leverage of the Roman Catholics they could keep up their charities (Q. 327–330). It is in evidence before us that so long ago as 1872 when the Clothworkers' sold to Sir Hervey Bruce they were not unmindful of the claims of the district and the very fact that they made an arrangement in this view has been urged before us by the very people who benefited by it as an acknowledgment by the Clothworkers' that they were only trustees and not private owners. In this particular case the Rev. J. Mark could not say whether the tenants would or would not have taken over the liabilities which Sir Hervey Bruce took over (Q. 436).

Report of Lord Derby's Commission, Vol. I. p. 235.

REPORT

FROM THE

SELECT COMMITTEE

ON

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
4 *May* 1891.

[*Price* 5 *d.*]

22. *Under* 6 *oz.*

H.—19. 5. 91.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1891.

LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY THE HANSARD PUBLISHING UNION, LIMITED.

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

408.

Ordered,—[*Monday, 2nd February* 1891]:—THAT a Select Committee be appointed to control the Arrangements for the Kitchen and Refreshment Rooms, in the Department of the Serjeant-at-Arms attending this House.

Committee nominated of,—

Mr. H. Anstruther.
Mr. Broadhurst.
Mr. William Corbet.
Mr. Cremer.
Mr. Flower.
General Goldsworthy.
Colonel Hamilton.
Mr. Herbert.
Mr. Lafone.
Mr. Cowley Lambert.
Viscount Lewisham.
Colonel Malcolm.
Mr. William M'Arthur.
Mr. John O'Connor.
Mr. Richard Power.

THAT Five be the Quorum.

Ordered,—[*Tuesday, 4th August* 1891]:—THAT the Select Committee on the Kitchen and Refreshment Rooms (House of Commons) have power to Report their observations to the House.

REPORT.

THE SELECT COMMITTEE appointed to control the KITCHEN and REFRESHMENT ROOMS (HOUSE of COMMONS), in the Department of the SERJEANT-AT-ARMS attending the HOUSE;——HAVE agreed to the following REPORT:—

DURING the present Session, up to the week ending 1st August 1891,

7,422 Luncheons,
10,195 Dinners, } Have been served in the Dining Room.

1,564 Luncheons,
1,069 Dinners, } Have been served in the Strangers' Dining Room.

210 Luncheons,
1,301 Dinners, } Have been served in the Terrace Dining Room.

The Committee would strongly urge the desirability of removing the Kitchen from the Ground Floor to the Upper Part of the Building, which would obviate the inconvenience caused by the smell and heat from the Kitchen coming not only into the Dining Rooms but into the Passages and Rooms overlooking the Court Yard.

There are no further circumstances of which, in the opinion of your Committee, it is desirable that the House should be informed.

4 *August* 1891.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1891.

[*Price* ½ *d.*]

408. *Under* 1 *oz.*

H.—7. 8. 91.

SPECIAL

REPORT

FROM THE

SELECT COMMITTEE

ON THE

LONDON WATER COMMISSION BILL:

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
14 *July* 1891.

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88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

334.

Ordered,—[*Friday*, 20*th February* 1891]:—THAT the London Water Commission Bill be read a second time, and *committed* to a Select Committee of Nine Members, Five to be nominated by the House and Four by the Committee of Selection.

THAT all Petitions against the Bill presented Five clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

THAT the Committee have power to send for persons, papers, and records.

THAT Five be the quorum.

Ordered,—[*Wednesday*, 4*th March* 1891]:—THAT the Metropolitan Water Companies' Charges Bill be read a second time, and *committed* to the Select Committee on the London Water Commission Bill.

THAT the Metropolis Water Supply Bill be read a second time, and *committed* to the Select Committee on the London Water Commission Bill.

THAT all Petitions against any of the Bills committed to the Committee presented Five clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel or Agents, be heard against the Bill, and Counsel heard in support of such Bills.

Ordered,—[*Thursday*, 12*th March* 1891]:—THAT the Southwark and Vauxhall Water Bill be read a second time, and *committed* to the Select Committee on the London Water Commission Bill.

Committee of—

Mr. Thomas Henry Bolton. Sir Algernon Borthwick. Mr. Bristowe. Mr. Lawson. Mr. Murdoch.	Nominated by the House. [*Wednesday*, 18*th March* 1891.]
Mr. J. W. Lowther. Sir Matthew White Ridley. Sir Henry Roscoe. Mr. Rowntree.	Added by the Committee of Selection. [*Friday*, 20*th March* 1891.]

Ordered,—[*Friday*, 20*th March* 1891]:—THAT it be an Instruction to the Committee on the London Water Commission Bill that they have power to inquire into all matters connected with the nature, price, management, sources, and sufficiency of the water supply of London and its suburbs, and to insert in the Bills such provisions in connection therewith as in their judgment are expedient.

Ordered,—[*Wednesday*, 22*nd April* 1891]:—THAT the Croydon Water Bill be read a second time, and *committed* to the Select Committee on the London Water Commission Bill.

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SPECIAL REPORT.

THE SELECT COMMITTEE on the LONDON WATER COMMISSION BILL reported, That with regard to the Instruction of the House of 20th March last, "That it be an Instruction to the Committee on the London Water Commission Bill that they have power to inquire into all matters connected with the nature, price, management, sources, and sufficiency of the Water Supply of London and its Suburbs, and to insert in the Bills such provisions in connection therewith as in their judgment are expedient," the Committee had agreed to the following SPECIAL REPORT:—

YOUR Committee have proceeded upon the assumption that in the opinion of Parliament it is desirable to establish a single public representative water authority for the metropolis.

The Royal Commission presided over by the Duke of Richmond reported in 1869, "That the future control of the water supply should be entrusted to a responsible "public body, with powers conferred on them for purchase and extension of existing "works, and for levying certain rates referred to." And the Select Committee, of which Sir W. V. Harcourt was Chairman, and which examined into the provisional agreements for purchase contained in the Government Bill of 1880, reported "That it is "expedient that the supply of water to the metropolis should be placed under the control "of some public body, which shall represent the interests and command the confidence "of the water consumers."

Since these Reports much valuable experience has been gained of the growth of population, and of the undertakings of the water companies and the demands upon them. Parliament also, since 1886, has adopted the policy of enforcing more stringent provisions in case of the issue of any fresh capital. An important inquiry into the whole matter, too, has recently been held by the Corporation of the City of London; and it is evident that there is much fresh light for the consideration of the question from every point of view. Your Committee, therefore, consider it to be most desirable that the problem should be carefully and deliberately examined by the newly constituted municipal authority, the London County Council, in the interests of the water consumers of the metropolis.

The London County Council were, in the Session of 1890, entrusted with powers to initiate negociations with the water companies, and to incur certain limited expenditure in preliminary inquiries, but those inquiries are necessarily as yet incomplete.

Your Committee recommend:—

(i.) That powers should be granted to the London County Council to expend such further sums as may be reasonably necessary, in order that they may examine thoroughly for themselves, as the responsible municipal authority of London, the whole position of the metropolitan water supply, and come to a conclusion as to the policy which, for financial and other reasons, it is desirable to adopt.

(ii.) That, if they should so resolve, they should have power to promote a Bill or Bills in Parliament for the purpose of constituting themselves the responsible water authority for London, acting through a statutory committee, appointed either wholly by themselves, or partly in conjunction with the Corporation of the City of London, as suggested to your Committee on behalf of both bodies. Such statutory committee to comprise a certain number of members possessing special knowledge and qualifications, not necessarily members of the body or bodies appointing.

(iii.) That the London County Council, if constituted the water authority, should be required to purchase, either alone or in conjunction with such of the authorities of the outside areas as may be arranged, the undertakings of the

eight water companies (except possibly certain lands of the New River Company) by agreement or, failing agreement, by arbitration, within a fixed period.

(iv.) That, subject to any such arrangements, the new water authority should take over the duties and obligations which the present water companies now have towards the consumers of water in the districts outside the boundaries of the County of London, but within the limits of supply of the present companies.

(v.) That in the event of purchase by the new authority power should be given to that authority, and to the authorities of the outside areas, to negotiate for the purchase by the latter (*a*) of so much of the works of distribution as is appropriated to the district of such local authority, and of the right to a supply of water in bulk from the new authority; or (*b*) possibly of some of the sources of supply which, with their works of distribution, it might be found practicable and advantageous to sever from the general scheme.

(vi.) That those local authorities, which, like Croydon, Richmond, and Tottenham, are situated within the metropolitan water area, but have their own independent water supply, should, in the event of the purchase of the water companies by the new water authority, be guaranteed in the exercise of their present rights.

In the event of the undertakings of the companies not being acquired by purchase, the Committee recommend that there should be a Parliamentary inquiry, before which the interests of the whole of the consumers within the area of the present metropolitan water supply ought to be represented, into the statutory powers and obligations of the water companies, and the control which is now exercised by public departments and the metropolitan and other authorities over them. In the Appendix to the Minutes of Evidence will be found a Memorandum setting out the existing conditions, but it might possibly be found advantageous to make the obligations and the control more complete.

Your Committee found it impossible, within the limits of the time at their disposal, to conduct satisfactorily any examination into the quality and quantity of the London water supply. But, apart from that consideration, they are of opinion that these questions will naturally form a part of the complete inquiry which it will be the duty of the London County Council to conduct, with the assistance of the professional advice which, as your Committee have recommended, should be at their disposal.

Although your Committee have not been able, for the same reason, to examine into any of the cases sought to be established before them by the various local authorities of the areas in which are contained the present sources of supply, for the protection of their separate interests, your Committee have received sufficient indication that there exist complaints, founded or unfounded, that those sources are in some quarters being even already overtaxed. Your Committee do not see their way to recommending any practicable method for the effective association of any of these authorities with the inquiry, for which the London County Council must be responsible. But they are of opinion that in any such inquiry regard must be had, on the one hand, to the statutory rights of the present water companies, and, on the other, to the legitimate wants and necessities of the inhabitants of those areas. It must remain with Parliament ultimately to decide upon the merits of any scheme submitted.

In view of the possibility of its being ultimately established that the present sources of supply cannot be extended, and that additional sources are required, and in view also of the fact that the possible fresh areas of supply are limited, and are already being drained for other large communities, your Committee think that Parliament may well consider before granting any powers for further encroachment upon those areas, how far provision ought fairly to be made for the possible requirements alike of the metropolis, and of the other large populations upon the lines of supply.

Of the two Bills before your Committee for the constitution of a new water authority, neither appeared to them calculated to effect a satisfactory solution of the problem, but your Committee desire to place upon record their opinion that both those Bills were promoted in the public interest, and to considerable public advantage.

14*th July* 1891.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 15th April 1891.

MEMBERS PRESENT:

Sir Matthew White Ridley.	Mr. J. W. Lowther.
Sir Henry Roscoe.	Mr. Murdoch.
Mr. Lawson.	Sir Algernon Borthwick.
Mr. Rowntree.	Mr. Bristowe.

Sir MATTHEW WHITE RIDLEY was called to the Chair.

[Adjourned till Tuesday, 28th April.

Tuesday, 28th April 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. J. W. Lowther.
Mr. Lawson.	Sir Algernon Borthwick.
Mr. Thomas Henry Bolton.	Mr. Bristowe.
Mr. Murdoch.	

LONDON WATER COMMISSION BILL.

Counsel:—Mr. *Littler*, Q.C., Mr. *Saunders*, Q.C., Mr. *Russell Griffiths*, and Mr. *Rose Innes*.

Agents:—Messrs. *Sherwood*.

Petitions against the Bill were read from:—

1. London County Council.

   Counsel:—Mr. *Moulton*, Q.C., Mr. *Freeman*, and Mr. *F. W. Pember*.

   Agents:—Messrs. *Dyson*.

2. Corporation of Croydon.

   Counsel reserved.

   Agents:—Messrs. *Wyatt*.

3. Provincial Water Companies' Association.

   Counsel reserved.

   Agents:—Messrs. *Hargreaves*.

4. Chelsea Waterworks Company and West Middlesex Waterworks Company.

   Counsel:—Mr. *Gerald FitzGerald* and Mr. *Erskine Pollock*.

   Agents:—Messrs. *Rees & Frere*.

5. New River Waterworks Company.

Counsel :—Mr. *Pope*, Q.C., Mr. *Bidder*, Q.C., and Mr. *Baggallay*.

Agents :—Messrs. *Rees & Frere*.

6. East London Waterworks Company.

Counsel :—Mr. *Pember*, Q.C., Mr. *Cripps*, Q.C., and Mr. *T. S. Barnes*.

Agents :—Messrs. *Bircham*.

7. Grand Junction Waterworks Company.

Counsel :—Mr. *Pember*, Q.C., and the Hon. *Sidney Holland*.

Agents :—Messrs. *Bircham*.

8. Middlesex County Council.

Counsel reserved.

Agents :—Messrs. *Dyson*.

9. Bromley Local Board.

Counsel :—Mr. *Meysey Thompson*.

Agent :—Mr. *Baker*.

10. Watford Local Board.

Counsel :—The Hon. *Sidney Holland*.

Agent :—Mr. *C. Baker*.

11. Lee Conservancy Board.

Counsel reserved.

Agent :—Mr. *George Corble*.

12. Kent Water Company.

Counsel :—Mr. *Lewis Coward* and Mr. *Moon*.

Agents :—Messrs. *Martin & Leslie*.

13. Southwark and Vauxhall Water Company.

Counsel :—Mr. *Bidder*, Q.C., Mr. *Baggallay*, and Mr. *Allcroft*.

Agents :—Messrs. *Wyatt*.

14. Company and Proprietors of Lambeth Waterworks.

Counsel :—Mr. *Balfour Browne*, Q.C., and Mr. *H. A. Rigg*.

Agents :—Messrs. *Bell, Stewards, & May*.

15. Conservators of the River Thames.

Counsel :—Mr. *Balfour Browne*, Q.C., Mr. *Bankes*, and Mr. *Helpman*.

Agents :—Messrs. *Wyatt*.

16. Surrey County Council.

Counsel reserved.

Agents :—Messrs. *Wyatt & Co*.

17. Beckenham Local Board.

Counsel :—Mr. *Meysey Thompson* and Mr. *Clarke Williams*.

Agents :—Messrs. *W. & W. M. Bell*.

18. Corporation of West Ham.

Counsel reserved.

Agents :—Messrs. *Hillearys*.

19. West

19. West Surrey Water Company.
Counsel reserved.
Agents :—Messrs. *Batten & Co.*

20. Corporation of New Windsor.
Counsel reserved.
Agents :—Messrs. *Durnford & Co.*

21. Corporation of Oxford.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

22. Oxfordshire County Council.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

23. Hertfordshire County Council.
Counsel :—Mr. *Balfour Browne*, Q.C., and Lord *Robert Cecil.*
Agents :—Messrs. *Dyson & Co.*

24. Colne Valley Water Company.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

25. County Council of Berkshire.
Counsel :—Mr. *Balfour Browne*, Q.C., and Lord *Robert Cecil.*
Agents :—Messrs. *Dyson & Co.*

26. Uxbridge Local Board.
Counsel :—The Hon. *Sidney Holland.*
Agent :—Mr. *Charles E. Baker.*

27. Corporation of Hertford.
Counsel :—Lord *Robert Cecil.*
Agent :—Mr. *Charles E. Baker.*

28. Corporation of Richmond.
Counsel reserved.
Agent :—Mr. *John Charles Ball.*

29. Local Board of East Ham.
Counsel reserved.
Agent :—Mr. *Charles E. Baker.*

30. Thames Riparian Owners' Association, and Sir Gilbert A. Clayton East.
Counsel reserved.
Agents :—Messrs. *Martin & Leslie.*

31. Tottenham Local Board of Health.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

32. Vestry of St. Pancras.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

33. Walthamstow Local Board.
Counsel reserved.
Agents :—Messrs. *W. Houghton & Son.*

34. Hoddesdon Waterworks Company.
Counsel reserved.
Agent :—Mr. *Charles E. Baker.*

35. Dartford Local Board.
Counsel reserved.
Agent :—Mr. *Charles E. Baker.*

36. Bromley Rural Sanitary Authority.
Counsel :—Mr. *Meysey Thompson* and Mr. *Clarke Williams.*
Agent :—Mr. *Charles E. Baker.*

37. Dartford Union.
Counsel reserved.
Agent :—Mr. *Charles E. Baker.*

38. Leyton Local Board.
Counsel :—
Agents :—Messrs. *Vincent & Vincent.*

39. Willesden Local Board.
Counsel :—
Agents :—Messrs. *Tilley & Co.*

40. Corporation of Reading.
Counsel reserved.
Agents :—Messrs. *Sharpe & Co.*

41. Southgate Local Board.
Counsel reserved.
Agents :—Messrs. *Dyson & Co.*

42. Leatherhead and District Waterworks Company.
Counsel reserved.
Agents :—Messrs. *Tahourdins & Hitchcock.*

43. Central Middlesex Water Company, Limited.
Counsel reserved.
Agents :—Messrs. *W. & W. M. Bell.*

44. West Kent Main Sewerage Board.
Counsel reserved.
Agent :—Mr. *Charles E. Baker.*

45. Executive Committee of Vestries and District Boards of the Metropolis.
Counsel :—Mr. *Rickards.*
Agents :—Messrs. *Jordan & Son.*

46. The Willesden Local Board.
Counsel reserved.
Agents :—Messrs. *Tilley.*

METROPOLIS WATER SUPPLY BILL.

Counsel :—Mr. *Rickards* and the Hon. *Alfred Lyttelton.*

Agents :—Messrs. *Jordan.*

Petitions against the Bill were read from :—

1. Corporation of Croydon.

   Counsel reserved. Mr. *Bidder,* Q.C., and Mr. *Glen* appeared in support of Petition, 6th May.

   Agents :—Messrs. *Wyatt & Co.*

2. Corporation of West Ham.

   Counsel reserved. Mr. *Worsley Taylor,* Q.C., appeared in support of Petition, 5th May.

   Agents :—Messrs. *Hillearys.*

3. Regent's Canal City and Docks Railway Company.

   Counsel :—Mr. *Pope,* Q.C., and Mr. *Cripps,* Q.C.

   Agents :—Messrs. *Rees & Frere.*

4. New River Water Company.

   Counsel :—Mr. *Pope,* Q.C., Mr. *Bidder,* Q.C., and Mr. *Baggallay.*

   Agents :—Messrs. *Rees & Frere.*

5. Kent Waterworks Company.

   Counsel :—Mr. *Lewis Coward* and Mr. *E. Moon.*

   Agents :—Messrs. *Martin & Leslie.*

6. Chelsea and West Middlesex Waterworks Company.

   Counsel :—Mr. *Gerald FitzGerald* and Mr. *Erskine Pollock.*

   Agents :—Messrs. *Rees & Frere.*

7. Lee Conservancy Board.

   Counsel reserved.

   Agent :—Mr. *G. Corble.*

8. Grand Junction Waterworks Company.

   Counsel :—Mr. *Pember,* Q.C., and the Hon. *S. Holland.*

   Agents :—Messrs. *Bircham & Co.*

9. East London Waterworks Company.

   Counsel :—Mr. *Pember,* Q.C., Mr. *Cripps,* Q.C., and Mr. *Barnes.*

   Agents :—Messrs. *Bircham & Co.*

10. Southwark and Vauxhall Waterworks Company.

    Counsel :—Mr. *Bidder,* Q.C., Mr. *Baggallay,* and Mr. *Allcroft.*

    Agents :—Messrs. *Wyatt, Hoskins, Hooker, & Williams.*

11. Conservators of the River Thames.

    Counsel :—Mr. *Balfour Browne,* Q.C., Mr. *Bankes,* and Mr. *Upjohn.*

    Agents :—Messrs. *Wyatt & Co.*.

12. Bromley Local Board.

    Counsel :—Mr. *Thompson* and Mr. *Clarke Williams.*

    Agent :—Mr. *C. E. Baker.*

13. Watford Local Board.

Counsel :—The Hon. *S. Holland.*

Agent :—Mr. *C. E. Baker.*

14. Lambeth Waterworks Company.

Counsel :—Mr. *Balfour Browne,* Q.C., and Mr. *Rigg.*

Agents :—Messrs. *Bell, Stewards & May.*

15. Walthamstow Local Board.

Counsel reserved.

Agent :—Mr. *Houghton.*

16. East Molesey Local Board.

Counsel reserved.

Agents :—Mr. *W.* and *W. H. Bell.*

17. Corporation of Hertford.

Counsel :—Lord *Robert Cecil.*

Agent :—Mr. *C. E. Baker.*

18. East Ham Local Board.

Counsel :—Mr. *H. C. Rickards.*

Agent :—Mr. *Baker.*

19. Wimbledon Local Board.

Counsel :—Mr. *C. Tyrrell Giles*

Agents :—Messrs. *Whitfield.*

20. Provincial Water Companies' Association.

Counsel reserved.

Agents :—Messrs. *Hargreaves.*

21. Corporation of Richmond.

Counsel reserved.

Agents :—Messrs. *Ball.*

22. Middlesex County Council.

Counsel reserved.

Agents :—Messrs. *Dyson.*

23. Beckenham Local Board.

Counsel :—Mr. *Meysey Thompson* and Mr. *Clark Williams.*

Agents :—Messrs. *W.* and *W. H. Bell.*

24. Uxbridge Local Board.

Counsel :—The Hon. *Sidney Holland.*

Agent :—Mr. *C. E. Baker.*

25. Heston Local Board.

Counsel reserved.

Agents :—Messrs. *Dyson & Co.*

26. London County Council.

Counsel :—Mr. *J. Fletcher Moulton,* Q.C., Mr. *Freeman,* and Mr. *F. W. Pember.*

Agents :—Messrs. *Dyson & Co.*

27. Tottenham

27. Tottenham Local Board.

Counsel reserved.

Agents :—Messrs. *Dyson & Co.*

28. Bromley Rural Sanitary Authority.

Counsel :—Mr. *Thompson* and Mr. *Clarke Williams.*

Agent :—Mr. *C. E. Baker.*

29. Hoddesdon Waterworks Company.

Counsel reserved.

Agent :—Mr. *C. E. Baker.*

30. Dartford Local Board.

Counsel reserved.

Agent :—Mr. *C. E. Baker.*

31. St. Pancras Vestry.

Counsel reserved.

Agents :—Messrs. *Dyson.*

32. Grand Junction Canal Company.

Counsel :—Mr. *Moon.*

Agents :—Messrs. *Grahames.*

33. Colne Valley Water Company.

Counsel reserved.

Agents :—Messrs. *Dyson.*

34. Dartford Rural Sanitary Authority.

Counsel reserved.

Agent :—Mr. *C. E. Baker.*

35. Hertfordshire County Council.

Counsel :—Mr. *Balfour Browne,* Q.C., and Lord *Robert Cecil.*

Agents :—Messrs. *Dyson.*

36. Corporation of Reading.

Counsel reserved.

Agents :—Messrs. *Sharpe & Co.*

37. Southgate Local Board.

Counsel reserved.

Agents :—Messrs. *Dyson & Co.*

38. Owners, &c., of Mills, &c., on the Rivers Hogs Mill, Wandle, and Mole.

Counsel reserved.—Mr. *Pembroke Stephens,* Q.C., appeared in support of the Petition, 5th May.

Agents :—Messrs. *Dyson & Co.*

39. Corporation of the City of London.

Counsel :—Mr. *Littler,* Q.C., Mr. *Saunders,* Q.C., Mr. *Russell Griffiths,* and Mr. *Rose Innes.*

Agent :—Mr. *C. Prior Goldney.*

40. Central Middle Waterworks Company.

Counsel reserved.

Agents :—Messrs. *W.* and *W. M. Bell.*

41. Surrey County Council.

Counsel reserved.

Agents :—Messrs. *Wyatt & Co.*

42. Bexley Local Board.

Counsel reserved.

Agents :—Messrs. *F. C. Matthews* and *Browne.*

43. West Kent Sewerage Board.

Counsel reserved.—Mr. *Clark Williams* appeared in support of the Petition, 6th May.

Agent :—Mr. *C. E. Baker.*

44. Guardians of Dartford Union.

Counsel reserved.

Agent :—Mr. *C. E. Baker.*

45. Leatherhead and District Waterworks Company.

Counsel reserved.

Agents :—Messrs. *Tahourdins & Hitchcock.*

46. Willesden Local Board.

Counsel reserved.

Agents :—Messrs. *Tilley.*

47. Leyton Local Board.

Counsel reserved.

Agents :—Messrs. *Vincent.*

METROPOLITAN WATER COMPANIES' CHARGES BILL:

Counsel :—

Agents :—Messrs. *Dyson & Co.*

The following Petitions against the Bill were read :—

1. New River Company.

Counsel :—Mr. *Pope,* Q.C., Mr. *Bidder,* Q.C., and Mr. *Baggallay.*

Agents :—Messrs. *Rees & Frere.*

2. Chelsea Waterworks Company.

Counsel :—Mr. *Gerald FitzGerald* and Mr. *Erskine Pollock.*

Agents :—Messrs. *Rees & Frere.*

3. Kent Waterworks Company.

Counsel :—Mr. *Lewis Coward* and Mr. *Moon.*

Agents :—Messrs. *Martin & Leslie.*

4. Grand Junction Waterworks Company.

Counsel :—Mr. *Pember,* Q.C., and the Hon. *Sidney Holland.*

Agents :—Messrs. *Bircham.*

5. East London Waterworks Company.

Counsel :—Mr. *Pember,* Q.C., Mr. *Cripps,* Q.C., and Mr. *T. S. Barnes.*

Agents :—Messrs. *Bircham.*

6. Southwark and Vauxhall Waterworks Company.
   Counsel :—Mr. *Bidder*, Q.C., Mr. *Baggallay*, and Mr. *Allcroft*.
   Agents :—Messrs. *Wyatt*.

7. Lambeth Waterworks Company.
   Counsel :—Mr. *Balfour Browne*, Q.C., and Mr. *Rigg*.
   Agents :—Messrs. *Bell, Stewards & May*.

8. East Ham Local Board.
   Counsel reserved.
   Agent :—Mr. *C. E. Baker*.

9. Provincial Water Companies' Association.
   Counsel reserved.
   Agents :—Messrs. *Hargreaves*.

10. Wimbledon Local Board.
    Counsel reserved.
    Agent :—Mr. *Whitfield*.

SOUTHWARK AND VAUXHALL WATER BILL.

Counsel :—Mr. *Bidder*, Q.C., Mr. *Baggallay*, and Mr. *Allcroft*.
Agents :—Messrs. *Wyatt*.

The following Petitions against the Bill were read :—

1. Corporation of London.
   Counsel reserved.
   Agents :—Messrs. *Goldney*.

2. London County Council.
   Counsel reserved.
   Agents :—Messrs. *Dyson*.

CROYDON WATER BILL.

Counsel reserved.
Agents :—Messrs. *Wyatt*.

The following Petitions against the Bill were read :—

1. London County Council.
   Counsel reserved.
   Agents :—Messrs. *Dyson*.

2. Lambeth Waterworks Company.
   Counsel :—Mr. *Balfour Browne*, Q.C., and Mr. *Rigg*.
   Agents :—Messrs. *Bell, Stewards & Co.*

3. Corporation of London.
   Counsel reserved.
   Agents :—Messrs. *Goldney*.

LONDON WATER COMMISSION BILL.

Preamble read the first time.

Mr. *Littler* was heard to open the Bill on behalf of the Promoters.

Mr. *Freeman* was heard in support of the London County Council against the Bill.

Mr. *Pope*, Q.C., was heard in support of the Petition of the New River Company against the Bill.

Mr. *Gerald FitzGerald* was heard in support of the Petition of the West Middlesex and Chelsea Water Company against the Bill.

Mr. *Coward*, on behalf of the Kent Water Company, was also heard to address the Committee in opposition to the Bill.

Mr. *Balfour Browne*, Q.C., on behalf of the Lambeth Water Company, was also heard to address the Committee in opposition to the Bill.

Lord *Robert Cecil*, on behalf of the Hertfordshire County Council, inquired if the Committee would hear the County Council upon the question of the area of supply.

The *Chairman* stated that all the various parties would be entitled to be heard by the Committee.

Mr. *Littler*, Q.C., was heard in reply.

The Committee-room was cleared. The Committee deliberated. The Counsel and parties were called in.

Chairman.] The Committee have considered this matter very carefully, and they have come to this conclusion: they are of opinion, on the opening of the case by Mr. Littler, that no Bill can be satisfactory, dealing with the questions referred to this Committee, which merely constitutes a public authority to promote Bills in Parliament. Therefore, practically, that means we cannot see our way to passing the preamble of this Bill.

[Adjourned till Thursday next, at Half-past Eleven o'clock.

Thursday, 30*th April* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. J. W. Lowther.
Mr. Lawson.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Sir Algernon Borthwick.
Sir Henry Roscoe.	Mr. Bristowe.

METROPOLIS WATER SUPPLY BILL.

Mr. *Rickards* was heard to open the case on behalf of the Promoters.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 5*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.	Mr. Lawson.
Mr. J. W. Lowther.	Mr. Bristowe.

METROPOLIS WATER SUPPLY BILL.

On behalf of the Promoters:—

Mr. *Wilkins* was sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 6*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Sir Algernon Borthwick.
Mr. Lawson.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Mr. Bristowe.
Mr. J. L. Lowther.	

On behalf of the Promoters:—

Mr. *Wilkins* was further examined.

[Adjourned till To-morrow, at Two o'clock.

Thursday, 7*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. Murdoch.
Mr. Lawson.	Sir Algernon Borthwick.
Mr. Thomas Henry Bolton.	Mr. Bristowe.
Mr. J. W. Lowther.	

On behalf of the Promoters:—

Mr. *Wilkins* was further examined.

Mr. *Cook* and Mr. *Grover* were sworn, and examined.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 12*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Mr. Bristowe.

SOUTHWARK AND VAUXHALL WATER BILL.

Mr. *Freeman* appeared in support of the Petition of the London County Council against the Bill.

Mr. *Bidder*, Q.C., was heard to open the case on behalf of the Promoters.

Sir *Henry Knight* was sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 13*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. Bristowe.
Mr. Thomas Henry Bolton.	Mr. Murdoch.

SOUTHWARK AND VAUXHALL WATER BILL.

The *Chairman* announced that, in view of certain evidence on the previous day, the Committee desired to ask the Representatives of the Board of Trade and the Local Government Board a few questions:—

Mr. *Stoneham*, General *Scott*, and Mr. *Restler* were sworn, and examined.

Mr. *Freeman* was heard in support of the Petition of the London County Council against the Bill:—

Mr. *Cripps* and Mr. *Alexander Binnie* were sworn, and examined.

On behalf of the Promoters of the Bill:—

Mr. *Bidder*, Q.C., was heard to reply.

The room was cleared, and the Committee deliberated.

Parties were called in.

The *Chairman* stated that the Committee approved of the principle of the Bill; that they will require from the Promoters a Schedule showing the allocation of the capital to specified works; and that, with reference to the Sinking Fund Clause, they require further discussion.

[Adjourned till To-morrow, at Two o'clock.

Thursday, 14*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rowntree.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Mr. Bristowe.

SOUTHWARK AND VAUXHALL WATER BILL.

On behalf of the Promoters of the Bill:—

Mr. *Bidder*, Q.C., submitted new clause, in accordance with decision of the Committee.

On behalf of the County Council:—

Mr. *Freeman* was heard in opposition.

In Clause 19, Mr. *Bidder*, Q.C., submitted an amendment to meet decision of the Committee with reference to the Sinking Fund.

Mr. *Freeman* submitted a Proviso and new Clause C.

Committee refused to entertain new Clause.

Mr. *Bidder*, Q.C., was heard against the Proviso.

Committee refused Proviso.

Preamble read the second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Through Clauses.

Ordered, To Report.

[Adjourned till Thursday, 28th May, at Half-past Eleven o'clock.

Thursday, 28*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Lawson.	Mr. Bristowe.
Mr. Thomas Henry Bolton.	Mr. Rowntree.
Mr. Murdoch.	

METROPOLIS WATER SUPPLY BILL.

Evidence for the Promoters—*continued.*

Mr. *Grover* further examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 29*th May* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Lawson.	Mr. Bristowe
Mr. Murdoch.	Mr. Rowntree.

METROPOLIS WATER SUPPLY BILL.

Evidence for the Promoters—*continued.*

Mr. *Grover* further examined.

Mr. *G. R. Hemmerde* sworn, and examined.

Mr. *Harry Wilkins* re-called, and further examined.

This closed the case for the Promoters.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 2*nd June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Murdoch.	Sir Algernon Borthwick.
Mr. Thomas Henry Bolton.	Mr. Bristowe.
Mr. Lawson.	Mr. Rowntree.

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Sir *Thomas Farrer* sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 3*rd June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Mr. Thomas Henry Bolton.
Mr. Lawson.	Mr. Murdoch.
Sir Algernon Borthwick.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Sir *Thomas Farrer* examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Thursday, 4th June 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Thomas Henry Bolton.	Sir Algernon Borthwick.
Mr. Bristowe.	Mr. Murdoch.
Mr. Lawson.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Mr. *Cripps* sworn, and examined.

[Adjourned to Tuesday next, at Half-past Eleven o'clock.

Tuesday, 9th June 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Murdoch.	Mr. Thomas Henry Bolton.
Mr. Bristowe.	Sir Algernon Borthwick.
Sir Henry Roscoe.	Mr. Rowntree.
Mr. J. W. Lowther.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Mr. *Cripps* further examined.

Sir *Thomas Farrer* further examined.

Mr. *Binnie* sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 10th June 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Sir Henry Roscoe.
Mr. Murdoch.	Mr. J. W. Lowther.
Mr. Rowntree.	Mr. Thomas Henry Bolton.
Mr. Lawson.	Sir Algernon Borthwick.

METROPOLIS WATER SUPPLY BILL.

Further course of proceeding considered.

[Adjourned till To-morrow, at Two o'clock.

Thursday, 11*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Mr. J. W. Lowther.
Mr. Thomas Henry Bolton.	Mr. Murdoch.
Sir Algernon Borthwick.	Mr. Rowntree.
Mr. Lawson.	Sir Henry Roscoe.

METROPOLIS WATER SUPPLY BILL.

Further course of proceeding considered.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 16*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Sir Algernon Borthwick.
Mr. Lawson.	Mr. Murdoch.
Mr. J. W. Lowther.	Mr. Thomas Henry Bolton.
Sir Henry Roscoe.	Mr. Rowntree.

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Mr. *Binnie* further examined.

Dr. *Frankland*, sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 17*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Mr. Rowntree.
Sir Algernon Borthwick.	Sir Henry Roscoe.
Mr. Lawson.	Mr. Thomas Henry Bolton.
Mr. J. W. Lowther.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Mr. *G. Hill*, Mr. *Charles Harrison*, Mr. *A. Haggis*, and Mr. *G. Deacon*, were sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Thursday, 18*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Bristowe.	Mr. J. W. Lowther.
Sir Algernon Borthwick.	Mr. Rowntree.
Mr. Thomas Henry Bolton.	Sir Henry Roscoe
Mr. Lawson.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the London County Council:—

Mr. *Deacon* and Mr. *H. L. Cripps* further examined

Mr. *H. C. Richards* was heard in support of the Petition of the East Ham Local Board.

On behalf of the Petition of the Corporation of Richmond, Mr. *F. Bernard*, senior, sworn, and examined.

[Adjourned till Tuesday next, at Half-past Eleven o'clock.

Tuesday, 23rd June 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Sir Henry Roscoe.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Mr. Bristowe.
Mr. Lawson.	Mr. J. W. Lowther.
Mr. Rowntree.	

METROPOLIS WATER SUPPLY BILL.

On behalf of the Petition of the County Council of Middlesex :—

The Earl *Cowper* and Mr. *Littler*, Q.C., sworn, and examined.

Mr. *Fletcher Moulton* was heard in support of the Petition of the London County Council.

Mr. *Balfour Browne*, Q.C., was heard in support of the Petition of the Hertfordshire County Council.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 24th June 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. J. W. Lowther.	Mr. Lawson.
Mr. Murdoch.	Sir Algernon Borthwick.
Mr. Bristowe.	Mr. Thomas Henry Bolton.
Mr. Rowntree.	

METROPOLIS WATER SUPPLY BILL.

Mr. *Bidder*, Q.C., was heard in support of the Petition of the Corporation of Croydon.

Mr. *Worsley Taylor*, Q.C., was heard in support of the Petitions of the County Council of Middlesex and of the Corporation of West Ham.

Mr. *Pembroke Stephens*, Q.C., was heard in support of the Petition of the County Council of Surrey.

Mr. *Meysey Thompson* was heard in support of the Petitions of the Beckenham Local Board, the Bromley Local Board, and the Bromley Rural Sanitary Authority.

Mr. *Baker*, the Agent for the Petitioners, the Dartford Local Board, and the Dartford Rural Sanitary Authority, stated that he desired to confirm what Mr. Meysey Thompson had said.

Mr. *Clarke Williams* was heard in support of the Petition of the West Kent Sewerage Board.

Mr. *C. T. Giles* was heard in support of the Petition of the Wimbledon Local Board.

Mr. *Balfour Browne*, Q.C., was heard in support of the Petition of the Conservators of the River Thames.

Mr. *Littler*, Q.C., was heard in support of the Petition of the Corporation of the City of London.

Mr. *Pember*, Q.C., was heard in support of the Petition of the Grand Junction Waterworks Company, and of the East London Waterworks Company.

[Adjourned till To-morrow, at half-past Eleven o'clock.

Thursday, 25*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Sir Henry Roscoe.	Sir Algernon Borthwick.
Mr. Thomas Henry Bolton.	Mr. J. W. Lowther.
Mr. Lawson.	Mr. Bristowe.
Mr. Rowntree.	Mr. Murdoch.

METROPOLIS WATER SUPPLY BILL.

Mr. *Pember*, Q.C., was further heard on behalf of the Grand Junction Waterworks Company, and of the East London Waterworks Company, and tendered evidence if the Committee would hear it.—The Committee reserved this question for discussion.

Mr. *Balfour Browne*, Q.C., was heard in support of the Petitions of the Provincial Water Companies Association, and of the Lambeth Waterworks Company.

Mr. *G. FitzGerald* was heard in support of the Petition of the Chelsea and West Middlesex Waterworks Companies.

Mr. *Lewis Coward* was heard in support of the Petition of the Kent Waterworks Company.

Mr. *Bidder*, Q.C., was heard in support of the Petition of the Southwark and Vauxhall Water Company.

Mr. *Pope*, Q.C., was heard in support of the Petition of the New River Company.

The *Chairman*, in reply to Mr. *Pember*, Q.C., stated that the Committee did not desire to hear evidence on behalf of the Water Companies.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 26*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Sir Henry Roscoe.	Mr. J. W. Lowther.
Mr. Lawson.	Mr. Bristowe.
Mr. Rowntree.	Sir Algernon Borthwick.

METROPOLIS WATER SUPPLY BILL.

Mr. *Creswell* made application to the Committee to be heard in support of the Petition of Local Board of Heston and Isleworth, but the Committee decided that it was too late, that portion of the case having been closed.

Mr. *Rickards* was heard in reply upon the whole case for the Promoters.

The Room cleared.

The Committee deliberated.

Preamble read the second time.

Question, That the Preamble is proved,—put, and *negatived*.

LONDON WATER COMMISSION BILL.

Preamble read the second time.

Question, That the Preamble is proved,—put, and *negatived*.

Parties called in, and informed of the decision of the Committee.

THE METROPOLITAN WATER COMPANIES CHARGES BILL.

Consideration adjourned.

THE CROYDON WATER BILL.

Messrs. *Wyatt*, the Agents for the Promoters, announced that, after the decision of the Committee in the other cases, it was not their intention to proceed with the Bill.

[Adjourned till Tuesday next, at Twelve o'clock, for consideration of Special Report.

Tuesday, 30*th June* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. J. W. Lowther.	Sir Henry Roscoe.
Mr. Murdoch.	Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.	Mr. Rowntree.
Mr. Bristowe.	Mr. Lawson.

THE METROPOLITAN WATER COMPANIES CHARGES BILL.

Mr. *Cripps*, on behalf of the Promoters, stated that it was not their intention to proceed with the same.

The Room cleared.

The Committee deliberated.

[Adjourned till Wednesday, 7th July, at Half-past Eleven o'clock

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Wednesday, 8*th July* 1891.

MEMBERS PRESENT

Sir MATTHEW WHITE RIDLEY in the Chair.

Sir Algernon Borthwick.	Mr. Rowntree.
Mr. Bristowe.	Mr. Murdoch.
Mr. Thomas Henry Bolton.	Mr. J. W. Lowther.
Mr. Lawson.	Sir Henry Roscoe.

The Committee deliberated.

[Adjourned till Tuesday next, at Half-past Eleven o'clock

Tuesday, 14*th July* 1891.

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Lawson.	Mr. Murdoch.
Mr. Rowntree.	Sir Henry Roscoe.
Mr. Thomas Henry Bolton.	Mr. J. W. Lowther.
Mr. Bristowe.	Sir Algernon Borthwick.

DRAFT SPECIAL REPORT proposed by the *Chairman*, brought up, and read the first time, as follows:—

"1. Your Committee have proceeded upon the assumption that it has been the opinion of Parliament that it is desirable to establish a single public representative water authority for the

the metropolis. Upon this question of policy, therefore, they have taken no evidence, and express no judgment.

"2. The Royal Commission presided over by the Duke of Richmond's Commission reported in 1869, 'That the future control of the water supply should be entrusted to a responsible 'public body, with powers conferred on them for purchase and extension of existing works, 'and for levying certain rates referred to.' And the Select Committee, of which Sir W. V. Harcourt was Chairman, and which examined into the provisional agreements for purchase contained in the Government Bill of 1880, reported 'That it is expedient that the supply of 'water to the metropolis should be placed under the control of some public body, which shall 'represent the interest and command the confidence of the water consumers.'

"3. Since these Reports much valuable experience has been gained of the growth of population, and of the undertakings of the water companies and the demands upon them. Parliament also, since 1886, has adopted the policy of enforcing more stringent provisions in case of the issue of any fresh capital. An important inquiry into the whole matter, too, has recently been held by the Corporation of the City of London; and it is evident that there is much fresh light for the consideration of the question from every point of view. Your Committee, therefore, consider it to be most desirable that the problem should be carefully and deliberately examined by the newly constituted municipal authority, the London County Council, in the interests of the water consumers of the metropolis.

"4. The London County Council were, in the Session of 1890, entrusted with powers to initiate negotiations with the water companies, and to incur certain limited expenditure in preliminary inquiries, but those inquiries are necessarily as yet incomplete.

"5. Your Committee recommend:—

"(i.) That powers should be granted to the London County Council to expend such further sums as Parliament may judge to be reasonably necessary, in order that they may examine thoroughly for themselves, as the responsible municipal authority of London, the whole position of the metropolitan water supply, and come to a conclusion as to the policy which, for financial and other reasons, it is desirable to adopt.

"(ii.) That, if they should so resolve, they should have power to promote a Bill or Bills in Parliament for the purpose of constituting themselves the responsible water authority for London, acting through a statutory committee, appointed either wholly by themselves, or partly in conjunction with the City of London, as was suggested to your Committee on behalf of both bodies. Such statutory committee to comprise a certain number of members possessing special knowledge and qualifications, not necessarily members of the body or bodies appointing.

"(iii.) That, if so constituted the water authority, they should be required to purchase, either alone or in conjunction with such of the authorities of the outside areas as may be arranged, the undertakings of the eight water companies (except possibly certain lands of the New River Company) by agreement, or, failing agreement, by arbitration, within a fixed period.

"(iv.) That the new water authority should take over the duties and obligations which the present water companies now have towards the consumers of water in the districts outside the boundaries of the County of London, but within the limits of supply of the present companies.

"(v.) That in the event of purchase by the new authority power should be given to that authority, and to the new authorities of the outside districts, to negotiate for the purchase of the latter (i.) of so much of the works of distribution as is appropriated to the district of such local authority, and of the right to a supply of water in bulk from the new authority; or (ii.) possibly of some of the sources of supply which, with their works of distribution, it might be found practicable and advantageous to sever from the general scheme.

"6. In the event of the undertakings of the companies not being acquired by purchase, the Committee recommend that there should be a public inquiry, before which the interests of the whole of the consumers within the area of the present metropolitan water supply ought to be represented, into the statutory obligations of the water companies, and the control which is now exercised by public departments and the metropolitan and other authorities over them. In the Appendix to the Minutes of Evidence will be found a Memorandum setting out the existing conditions, but it might possibly be found advantageous to make the obligations and the control more complete.

"7. Your Committee found it impossible, within the limits of the time at their disposal, to conduct satisfactorily any examination into the quality and quantity of the London water supply. But, apart from that consideration, they are of opinion that these questions will naturally form a part of the complete inquiry which it will be the duty of the London County Council to conduct, with the assistance of the professional advice which, as your Committee have recommended, should be at their disposal.

"8. Although your Committee have not been able, for the same reason, to examine into any of the cases sought to be established before them, for the protection of their separate

interests, by the various local authorities of the areas in which are contained the present sources of supply, they have received sufficient indication that the complaints reexist, founded or unfounded, that those sources are in some quarters being even already overtaxed. Your Committee do not see their way to recommending any practicable method for the effective association of any of these authorities with the inquiry, for which the London County Council must be responsible. But they are of opinion that in any such inquiry regard must be had, on the one hand, to the statutory rights of the present water companies, and, on the other, to the legitimate wants and necessities of the inhabitants of those areas. It must remain with Parliament ultimately to decide upon the merits of any scheme submitted.

"9. As it is evident that the necessity of an additional supply of water for London and the surrounding districts may ultimately be established, and as the possible fresh areas of supply are limited, and are already being drained for other large communities, your Committee think that Parliament may well consider, before granting any powers for further encroachment upon those areas, how far provision ought fairly to be made for the possible requirements alike of the Metropolis and of the other large populations upon the lines of supply.

"10. Of the two Bills before your Committee for the constitution of a new water authority, neither appeared to them calculated to effect a satisfactory solution of the problem, but your Committee desire to place upon record their opinion that both those Bills were carefully considered and promoted in the public interest, and to considerable public advantage."

DRAFT REPORT read a second time, paragraph by paragraph.

Paragraphs 1–2, amended, and *agreed to.*

Paragraphs 3–4, *agreed to.*

Paragraph 5.—Amendments made.—Another Amendment proposed, at the end of the paragraph to add the following Sub-section VI. "That those local authorities which, like Croydon, Richmond, and Tottenham, are situated within the metropolitan water area, but have their own independent water supply, should, in the event of the purchase of the water companies by the new water authority, be guaranteed in the exercise of their present rights"—(Mr. *J. W. Lowther.*)—Question, That the proposed Sub-section VI. be added to the paragraph,—put, and *agreed to.*

Paragraph 6, amended, and *agreed to.*

Paragraph 7, *agreed to.*

Paragraph 8.—Amendments made.—Another Amendment proposed, in line 5, after the word "overtaxed," to leave out from the words "Your Committee" to the end of the paragraph, in order to insert the words: "With a view to consider this question, your Committee recommend that a Royal Commission, composed of specially qualified scientific members, should be appointed to consider how far, if at all, the supply at present derived from the Thames and Lea, and the springs and wells in the metropolitan water area, should be limited or extended"—(Mr. *Lowther*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 4.	Noes, 3.
Mr. Thomas Henry Bolton.	Mr. J. W. Lowther.
Sir Algernon Borthwick.	Mr. Rowntree.
Mr. Bristowe.	Sir Henry Roscoe.
Mr. Lawson.	

Paragraphs 9–10, amended, and *agreed to.*

Question, That this Report, as amended, be the Report of the Committee to the House,—put, and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

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MINUTES OF EVIDENCE.

Tuesday, 28th April 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, IN THE CHAIR.

THE Petition for the Bill was read:

Mr. *Rickards* and the Honourable *A. Lyttelton* appeared as Counsel in support of the Petition.

Messrs. *Jordan and Son* appeared as Agents.

The following Petitions against the Bill were read:

The Petition of the Corporation of Croydon:

Counsel reserved.

Messrs. *Wyatt and Company* appeared as Agents.

The Petition of the Corporation of West Ham:

Counsel reserved.

Messrs. *Hillearys* appeared as Agents.

The Petition of the Regents Canal City and Docks Railway Company:

Mr. *Pope*, Q.C., and Mr. *Cripps*, Q.C., appeared in support of the Petition.

Messrs. *Rees and Frere* appeared as Agents.

The Petition of the New River Water Company:

Mr. *Pope*, Q.C., Mr. *Bidder*, Q.C., and Mr. *Baggallay* appeared in support of the Petition.

Messrs. *Rees and Frere* appeared as Agents.

The Petition of the Kent Waterworks Company:

Mr. *Lewis Coward* and Mr. *E. Moon* appeared as Counsel in support of the Petition.

Messrs. *Martin and Leslie* appeared as Agents.

The Chelsea and West Middlesex Waterworks Company:

Mr. *Gerald FitzGerald* and Mr. *Erskine Pollock* appeared as Counsel in support of the Petition.

Messrs. *Rees and Frere* appeared as Agents.

The Petition of the Lee Conservancy Board:

Counsel reserved.

Mr. *G. Corble* appeared as Agent.

The Petition of the Grand Junction Waterworks Company:

Mr. *Pember*, Q.C., and the Honourable S. *Holland* appeared as Counsel in support of the Petition.

Messrs. *Bircham and Company* appeared as Agents.

The Petition of the East London Waterworks Company:

Mr. *Pember*, Q.C., Mr. *Cripps*, Q.C., and Mr. *Barnes* appeared as Counsel in support of the Petition.

Messrs. *Bircham and Company* appeared as Agents.

The Petition of the Southwark and Vauxhall Waterworks Company:

Mr. *Bidder*, Q.C., Mr. *Baggallay*, and Mr. *Allcroft* appeared as Counsel in support of the Petition.

Messrs. *Wyatt, Hoskins, Hooker, and Williams* appeared as Agents.

The Petition of the Conservators of the River Thames:

Mr. *Balfour Browne*, Q.C., Mr. *Bankes*, and Mr. *Upjohn* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Bromley Local Board:

Mr. *Thompson* and Mr. *Clarke Williams* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Watford Local Board:

The Honourable *S. Holland* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Lambeth Waterworks Company:

Mr. *Balfour Browne*, Q.C., and Mr. *Rigg* appeared as Counsel in support of the Petition.

Messrs. *Bell, Stewards, and May* appeared as Agents.

The Petition of the Walthamstow Local Board:

Counsel reserved.

Mr. *Houghton* appeared as Agent.

The Petition of the East Molesey Local Board:

Counsel reserved.

Messrs. *W. and W. M. Bell* appeared as Agents.

The Petition of the Corporation of Hertford:

Lord *Robert Cecil* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the East Ham Local Board:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Wimbledon Local Board:

Counsel reserved.

Mr. *Whitfield* appeared as Agent.

The Petition of the Provincial Water Companies' Association:

Counsel reserved.

Messrs. *Hargreaves and Company* appeared as Agents.

The Petition of the Corporation of Richmond:

Counsel reserved.

Mr. *J. C. Ball* appeared as Agent.

The Petition of the Middlesex County Council:

Counsel reserved

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Beckenham Local Board:

Mr. *Meysey Thompson* and Mr. *Clarke Williams* appeared as Counsel in support of the Petition.

Messrs. *Bell, Stewards, and May* appeared as Agents.

The Petition of the Uxbridge Local Board:

The Honourable *Sidney Holland* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Heston Local Board:

Counsel reserved.

Messrs. *Dysons and Company* appeared as Agents.

The Petition of the London County Council.

Mr. *J. Fletcher Moulton*, Q.C., Mr. *Freeman*, and Mr. *F. W. Pember* appeared as Counsel in support of the Petition.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Tottenham Local Board:

Counsel reserved.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Bromley Rural Sanitary Authority:

Mr. *Thompson* and *Mr. Clarke Williams* appeared as Counsel in support of the Petition.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Hoddesdon Waterworks Company:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Dartford Local Board:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the St. Pancras Vestry:

Counsel reserved.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Grand Junction Canal Company:

Mr. *Moon* appeared as Counsel in support of the Petition.

Mr. *Graham* appeared as Agent.

The Petition of the Colne Valley Water Company:

Counsel reserved.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Dartford Rural Sanitary Authority:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Hertfordshire County Council:

Mr. *Balfour Browne*, Q.C., and Lord *R. Cecil* appeared as Counsel in support of the Petition.

Messrs. *Dyson and Company* appeared as Agents.

The

28 *April* 1891.

The Petition of the Corporation of Reading:

Counsel reserved.

Messrs. *Sharpe and Company* appeared as Agents.

The Petition of the Southgate Local Board:

Counsel reserved.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of Owners, &c., of Mills, &c., on the Rivers Hogs Mill, Wandle, and Mole:

Counsel reserved.

Messrs. *Dyson and Company* appeared as Agents.

The Petition of the Corporation of the City of London:

Mr. *Littler*, Q.C., C,B., Mr. *Saunders*, Q.C., Mr. *Russell Griffiths*, and Mr. *Rose Innes* appeared as Counsel in support of the Petition.

Mr. *C. Prior Goldney* appeared as Agent.

The Petition of the Central Middle Waterworks Company:

Counsel reserved.

Messrs. *W. and W. M. Bell* appeared as Agents.

The Petition of the Surrey County Council:

Counsel reserved.

Messrs. *Wyatt and Company* appeared as Agents.

The Petition of the Bexley Local Board:

Counsel reserved.

Messrs. *F. C. Matthews and Browne* appeared as Agents.

The Petition of the West Kent Sewerage Board:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Guardians of Dartford Union:

Counsel reserved.

Mr. *C. E. Baker* appeared as Agent.

The Petition of the Leatherhead and District Waterworks Company:

Counsel reserved.

Messrs. *Tahourdins and Hitchcock* appeared as Agents.

After the decision of the Committee upon the London Water Commission Bill, that: "They are of opinion on the opening of the case by Mr. Littler, that no Bill can be satisfactory dealing with the questions referred to this Committee, which merely constitutes a public authority to promote Bills in Parliament."

Mr. *Rickards* stated to the Committee that since the Bill had been printed and delivered, several alterations had been made, of which notice had not been given, and which, therefore, the opponents of the Bill had not had an opportunity of considering. He suggested, in consequence, that the Committee should adjourn for two days.

Mr. *Pember*, on behalf of the opponents, asked that they might be furnished at once with copies of the alterations, and after some discussion—

The *Chairman* stated that the Committee would adjourn to Thursday, the petitioners undertaking to supply the opponents of the Bill with copies of the alterations by 12 o'clock on Wednesday.

Thursday, 30*th April* 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, IN THE CHAIR.

Mr. *Rickards* was heard to open the case on behalf of the Promoters of the Bill.

Tuesday, 5th May, 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Sir Matthew White Ridley.
Mr. Rountree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Rickards.*] I HAVE had the maps prepared, Sir, and I will hand up some copies and explain very briefly what they are, although I think they speak for themselves.

Copies of two maps were handed in.

Just a word in explanation of the maps, and then one word upon the schedule and the section of the Act of Parliament itself.

The green line on the large map, as is explained in the note at the top, shows the boundary of the water companies' schedule in the Bill, that is, co-extension with the proposed metropolitan water area. Then the portions outside, Watford, Epping, and those other portions which you see overlapping, show where the Parliamentary divisions outside the metropolis go beyond the proposed metropolitan water area. The population of the different Parliamentary divisions is shown in thousands by the letters "P." and the numbers following. Take Hertford for instance; "P. 51" means, population 51,000; "131" means the number of square miles of the whole division. Then we have the metropolis itself, which is now co-extensive with the county of London, as you know. That is shown in the centre of the map by a pink area, surrounded by a red line, and the small map shows the Parliamentary divisions within that area. I do not know whether you have the small map before you?

Chairman.] Yes, we have.

Mr. *Rickards.*] Then, Sir, having regard to the fact that some portions of the Parliamentary divisions outside the metropolis included within the water area are very small in extent, we propose to alter Clause 31 of the Bill. On page 17, line 28, we propose to read in this way: "Each electoral area shall comprise such one or more of the Parliamentary boroughs or divisions."

Chairman.] Instead of "two"?

Mr. *Rickards.*] Instead of "two." "Such one or more of the Parliamentary boroughs or divisions"; then the rest reads exactly as it was before. You will understand that the proposition to have 39 members of the Water Trust, half the number of the members being Parliamentary members, is unchanged; and the proposal to have 39 electoral areas is also unchanged; but in group 11, the Local Government Board having regard, as we assume they will have regard, to the population and the rateable value of the different Parliamentary divisions, may group one or more together. That is hardly a correct expression: it may form an electoral area out of one or more. Now, Sir, it is not a new proposition to group together different districts for the purposes of forming an electoral area. That principle was adopted in the Metropolis Management Act of 1855, which constituted the Metropolitan Board of Works, Section 250, and Schedules A. B. and C. of the Metropolis Management Act, 1855, show that at a glance. I will hand it to you. That is the principle adopted there for forming electoral areas for returning members of the Metropolitan Board of Works. I may say, I do not think, with the exception of consultative members, that there is any part of the Bill that is without precedent. I mean any vital principle of the Bill. I will just refer you for a moment to Section 30 of the Metropolis Management Act, and hand it up to you, and you will see how it is provided for.

Mr. *Lawson.*] Surely we all know what the Metropolitan Board of Works was.

Chairman.] It is sufficient to explain what you mean now; the rest comes afterwards.

Mr. *Rickards.*] Just so. That is the principle of combination. Then, what the Local Government Board should determine part in taking from the divided parishes of the Poor Law Amendment Acts, 1877 and 1879, so that there is no now principle there; and as to the dividend register, the Registration Act of 1885. I hope the map fairly meets the wishes of the Committee. The time has not been very long to prepare a map of this sort, but I have done my best to show all the Parliamentary divisions, or parts of the Parliamentary divisions which will go to form the electorial areas to return one member. Before I proceed to call evidence I should like just to correct one or two things in the shorthand Report of what took place the other day. I will take it very shortly indeed.

Chairman.] If you will simply correct a copy of your speech for your opponents, I think that

will be quite sufficient. We have not got a copy of your speech, you know.

Mr. *Rickards.*] Have you not?

Chairman.] No, we have not, and never have.

Mr. *Rickards.*] I do not think it matters. There was a rather grave error made in the report of this case in the newspapers. I was reported to have said that the arbitrators would take into consideration the future capital earnings of the companies. If course, I meant the future capital expenditure of the companies.

Chairman.] We cannot do anything with the newspaper reports.

Mr. *Rickards.*] Exactly; and as you have not seen it I shall not trouble you any further with it, excepting to say this: that I find I did not, when saying with reference to the Rickmansworth district that we would enter into the same obligations to supply the Rickmansworth district as the Rickmansworth Company was under at the present time. I do not appear at that part of my remarks to have included the Leatherhead Water Company's district. Of course I intended the same remark to apply to that.

Mr. *Bristowe.*] That was understood.

Mr. *Rickards.*] You understood that?

Mr. *Bristowe.*] Yes.

Mr. *Rickards.*] Thank you. Then I will at once call Mr. Wilkins.

Mr. Harry Wilkins, is called in; and, having been sworn, is Examined, as follows:

Mr. *Rickards.*

1. Are you the Vestry Clerk of St, James', Westminster?—Yes.

2. And are you honorary secretary to the executive committee of the vestries who promote this Bill?—I am.

3. Have you, both as vestry clerk of St. James', Westminster, and as honorary secretary to the executive committee, very carefully considered the provisions of the Bill?—Very carefully indeed.

4. I will take you very shortly through this. Was I correct in saying the other day, that the first step in the present movement was taken by the St. James' Vestry, in April 1890?—That is so.

5. And that on the 19th June 1890 you issued invitations to all the metropolitan local authorities, with the exception of Woolwich and the Corporation of London, to attend a conference upon the subject of metropolitan water supply?—The conference, I find, was held on the 19th June.

6. Would you very shortly read to the Committee the resolution that was passed at that conference?—The principal resolution is as follows: "That in view of the fact that the quinquennial re-valuation of the metropolis now in progress will be to augment the charge to consumers for the same supply of water as is enjoyed by them at the present time, and thereby to increase by a very large sum the value of the property of the water companies, the Government be requested forthwith to introduce a Bill to enable the London county council, or some other properly representative body, to acquire the undertakings of the eight water companies now supplying London, or some of them, by agreement, or, failing agreement, to create a board of arbitrators to settle the terms of transfer by compulsory powers, or to give power to establish an independent supply."

7. Was that resolution unanimously passed?—Unanimously.

8. By the representatives of 32 out of 40 of the vestries and district boards of the metropolis?—Yes.

9. I have already given the reason why the City of London were not invited to attend.

Mr. *Rickards*—continued.

They were themselves at that time considering the question, and had held an inquiry, or, rather, were about to hold an inquiry, into the subject?—Yes.

10. And that inquiry was the inquiry referred to in the opening of the other Bill. It was an inquiry by the county purposes committee of the Corporation of the City of London, and the report was presented in October 1890?—Yes.

11. Would you give your reasons why you did not invite the representatives of Woolwich to attend?—Simply because they were on the outskirts, and they were thought not to have the same interest in the London water question as the metropolis proper. Woolwich is governed by a local board established under the Local Government Act, and not by a vestry established by the Metropolis Local Management Act. I think that was the only reason; but I may say that the Woolwich Local Board, I believe, have petitioned in favour of the Bill.

12. After that resolution was passed on the 19th June 1890, what steps did you take to draw the attention of the Government to the question?—A resolution was also passed appointing a deputation to wait upon the President of the Local Government Board, and this interview took place some time in July; I find I have not got the date, but it was about the 26th.

13. The 31st is the day?—No, the 31st was the adjourned meeting of the conference.

14. I beg your pardon. Was it between the 19th June and the 31st July?—Yes, it was about a week before the 31st July; I have not the exact date.

15. Would you give us very shortly the result of that deputation?—A deputation waited upon Mr. Ritchie, and laid before him the resolutions which had been passed at this conference, and suggested that opportunity might be taken of the then approaching Recess to have the matter considered by a board of arbitration appointed by Parliament during the then current Session. The idea was that a small body should be appointed which would command the confidence of all parties to the bargain, with power to make preliminary inquiries, so that the Government might adopt their Report and give Parliamentary authority

to

Mr. *Rickards*—continued.

to the Report in the course of that Session, so as to bar any claim to compensation in respect of the approaching revaluation of property at the quinquennial period under the Valuation Act of 1869. Mr. Ritchie practically admitted that the water question was not in a satisfactory condition, but he based his objection to proposing legislation that Session, partly on account of the state of public business, but more particularly upon the fact that the county purposes committe of the Corporation were then actually engaged in holding an inquiry, and that the London county council had recently obtained power from Parliament to expend a sum of money in making a like inquiry. Mr. Ritchie said that he assumed that both bodies would present a report to the Government, and it would be the duty of the Government to give very careful consideration to the views of those two bodies. He, speaking for himself, thought he might promise that if the Reports were such as commended themselves generally to those most interested, the Government might be induced to take up the question in some ensuing Session.

16. Did you in consequence of the importance with which you regarded this question being dealt with without delay, have another meeting and pass another resolution of the local authorities of the metropolis?—Yes. I may say that following the deputation I think there was a general feeling of disappointment at the reply of Mr. Ritchie; and I was instructed, before I left the room, in fact, to ask the St. James' Vestry to convene an adjourned meeting of the conference. An adjourned meeting was held on the 31st July, when this resolution was passed: "That as the London county council has no power to introduce a Bill into Parliament for the purchase of the water companies' undertakings, the vestries and district boards represented at this conference be advised (following the precedent successfully set in the case of metropolis gas legislation) to unite in giving notice of and preparing a Bill for such purpose, and for power to set up a competing supply."

17. Was that resolution communicated to each of the vestries and district boards represented?—Yes, to the whole of the 32.

18. With what result?—These 32 vestries were communicated with and requested, if they approved of the resolution, to appoint a member to serve upon an executive committee to frame the rules and prepare the Bill; 23 of the district vestry boards appointed members to serve upon the committee.

19. Are they still in accord with the Bill, or in what proportion?—You mean at that time?

20. Yes, at any time?—Twenty-three vestries and district boards appointed members to serve upon the Committee, 23 out of the 32; the remaining nine abstained, but not one of the nine vestries or district boards which abstained gave as a reason any disagreement with the principle of the resolution. There were four separate reasons given, some of them abstained because they desired the introdution of a competing supply without regard to existing undertakings; which the executive committe subsequently found was impracticable; secondly, because the City Corporation had then announced their intention of probably promoting a Bill in the ensuing Session; (thirdly) because some of them considered the London county council should take up the work; and fourthly, because they did not feel disposed to commit themselves to any expenditure.

Mr. *Rickards*—continued.

21. But as you said before there were no dissentients to the principle of the Bill?—No dissentients to the principle of the resolution; of course the Bill then was not framed.

22. Since then some change has taken place, it is fair to say, in the attitude of the vestries; can you give very briefly their opinions?—Perhaps you will allow me to take it at three stages; when the Bill was introduced into the House of Commons there were 17 of the local authorities still represented upon the committee; the total rateable value of these 17 vestries and district boards was fifteen millions and a quarter, 15,224,394 *l.*

23. Call it fifteen and a quarter millions?—The population they represented was 2,506,066; that is the population according to the census of 1881, not an estimate; it would probably be larger now.

24. Roughly speaking about half the rateable value, and half the representation, and half the population?—It is considerably more than that, because you must exclude the the City; the City was taking independent action. The total rateable value of the metropolis at that time, excluding the City, was 27,704,541 *l.*; so the proportion is as 15 to 27 rateable value of the population, exclusive of the City, 3,782,165 persons. In the earlier stages, as I have said, there were other vestries represented.

25. The figures you have just given us are the figures when the Bill was introduced into the House of Commons?—Yes.

26. Then I think, from one reason and another, some of those have withdrawn?—Yes; I sent round to all the vestries and district boards last week to know their present opinion. I find that 15 of the vestries and district boards, 15 out of the 40, have expressed a resolution in favour of the Bill, two of them (Shoreditch and Hampstead) with this opinion added: That the London county council should be the water authority.

27. That is two out of 15?—Eight out of the 40 have passed a resolution adverse to the Bill, principally in fact I think all of them except one, on the ground that the new authority, whatever it is, should not buy up the existing undertakings, but should at once seek powers to obtain an independent and competing supply; and 15 vestries and district boards have passed no resolution at all on the Bill; and I have not received any reply from the remaining two. So that out of the 23 who have passed a resolution upon the Bill, 15 have expressed themselves in favour and eight against; the reason given, as I say, being in the opinion of the executive committee, perfectly impracticable, namely, a competing supply.

28. The majority of the remainder all being neutral, at least having given no answer?—Fifteen have passed no resolution on the Bill.

 29. I thought

Mr. *Pember.*

29. I thought you said 15 are for the Bill?—15 are for the Bill, and 15 have passed no resolution; that makes 30; eight have passed a resolution adverse, and two have not replied. If you would like to go into detail, I can tell you that the 15 who have passed resolutions in favour represent all parts of the Metropolis. You have got large vestries like Islington, Kensington, Paddington, Chelsea, and Wandsworth District Board; then you have got those in the East, such as Bethnal Green, Shoreditch, and Poplar, and Hampstead in the north; and on the south side of the water, you have St. Pauls, Deptford, Newington, Woolwich, and Camberwell.

Mr. *Rickards.*

30. Absolutely in favour of the Bill?—Absolutely in favour of the Bill; so that you see it represents all quarters of London.

31. As it stands?—As it stands, with the exception, as I have said, of Shoreditch and Hampstead.

32. Have you taken out the figures of the rateable value and population represented by this?—No, I have not; but it practically represents the same.

33. Now, would you give me very briefly the views of your committee, not upon having a central authority, that I do not propose to trouble the Committee with?——

Chairman.] The Committee would like you to confine yourself, as far as possible, to the proposals contained in the Bill; I do not think we want to go much further into the inception of it.

Mr. *Richards.*

34. No, Sir, I am going to deal with the Bill itself, and ask him questions on the views of the committee upon the different parts of the Bill. (To *Witness.*) First of all, I need not trouble you with any questions as to the advisability of establishing a central water authority, but I should be glad if you would tell the Committee very shortly what your executive committee considered the advantages as regards administration and centralisation?——

Chairman.] I do not think we want that; we do not want the advantages of central administration; we will take that for granted. The advantages of central administration the Committee do not require evidence about. We have already said what we want to be at is, the proposals of this Bill and the views of those who propound it, as to the constitution of the body to administer it, the method of purchase, if any, and so on.

Mr. *Rickards.*] Very well, Sir, I will deal with that.

Witness.] Perhaps I might say that in considering the preliminary stages the committee very carefully went through all the official documents, the Blue Books, and so on, the Duke of Richmond's Commission Report, Sir William Harcourt's Select Committee Report, Mr. Harrison's Report to the President of the Local Government Board, Mr. Ayrton's Report, the Parliamentary Returns, such as those obtained

Mr. *Rickards*—continued.

by Mr. Firth, and the Reports of the Water Examiner from to time; and the conclusion which the committee arrived at may be summed up, I think, very briefly as follows: Firstly, that to purchase the existing undertakings would be preferable to setting a competing supply in the first instance as recommended by Sir William Harcourt's Committee, paragraph 5.

35. You need not go at length into that?—Secondly, that the authority as recommended by Sir William Harcourt's Committee (paragraph 4), should be representative of the whole area of supply; but at the same time the committee thought it expedient to write the attention of Parliament to a proposal as to whether the London county council should be the water authority for the metropolitan water area or not, in order that it might not be left out of sight in a settlement of the question.

36. That is to say, you thought that the consumers of the outside areas ought to be represented as well as the consumers in the metropolis itself?—Most certainly, following the lines of Sir William Harcourt's Report.

Mr. *Rickards.*] I do not know whether I need ask the witness any more questions about the competing supply, Sir; I take it not. I do not know whether you wish me to ask the witness any questions about the possibility or practicability of setting up a competing supply?

Chairman.] No, I think not at this stage.

Mr. *Rickards.*] I am prepared with evidence upon the point, of course.

Mr. *Bolton.*] Where do Sir William Harcourt's Committee suggest that the representative authority should represent the area of supply.

Mr. *Rickards.*] That is our proposition.

Mr. *Bolton.*] Where is that in Sir William Harcourt's Report?

Witness.] Paragraph 4, Sir; the water consumers.

Mr. *Lowther.*] At the end of paragraph 4.

Mr. *Bolton.*] "Supply"; not the area of supply.

Witness.] Consumers in the area of supply, Sir, I think.

Mr. *Bolton.*] "Districts at present supplied."

Witness.] That is the same thing.

Mr. *Bolton.*] No.

Mr. *Rickards.*] The district supplied is the area of supply.

Mr. *Bolton.*] That is what you mean by it?

Witness.] Yes.

Mr. *Rickards.*] The metropolitan water area as proposed to be constituted by this Bill are the districts within which the existing companies have Parliamentary powers of supply; they are the same thing. You see, Sir, we propose to buy up the companies and take over their powers; consequently, our proposed water area includes the whole whole of the districts which the existing companies have power to supply.

[*Witness.*

Witness.] And the area of supply of course referred to by Sir William Harcourt was larger than the county of London.

37. I will take you to figures as to that. While I am on that point, can you give me the area of the proposed water supply as compared with the area of the metropolis proper, the county of London that is?—Speaking approximately, the area of the county of London is 120 square miles; and the area of supply proposed by this Bill is about 600 square miles.

Chairman.] We have 708 on the map.

Mr. *Rickards.*] Yes, Sir. I do not know whether the gentleman who made the map is here; I propose to ask him a question or two about that. It shall be ascertained before to-morrow morning. The "total area of the water companies' 708 square miles"; that exceeds our figures. The gentleman is not here, but I will call the gentleman who made the map. For the present we are content to take the figures given by Mr. Wilkins, namely, the two comparisons of 120 square miles within the metropolis, and very nearly 600 square miles within the districts of supply of the existing water companies.

Witness.] Would you like to take the area of Sir William Harcourt; that is well ascertained?

38. Yes; what was that; but then that does not include Rickmansworth and Leatherhead?—No.

39. Can you give me the figures, putting aside the district of the Leatherhead Water Works Company and the Rickmansworth and Uxbridge water companies that were placed before Sir William Harcourt, of the comparative area of the metropolis and the metropolitan water area?—I do not think the figures were placed before Sir William Harcourt's Committee, but it is a pretty well ascertained figure.

40. What is it?—What is understood by the metropolitan water companies as defined by the Metropolis Water Act of 1871.

41. That is the eight companies?—The eight companies supply or have power to supply water in an area of 470 square miles as compared with the 120 square miles of the county of London.

42. Then in order to arrive at our proposed water area you have to add the Parliamentary districts of the Leatherhead Water Company, and the Rickmansworth Water Company?—Exactly.

43. Now can you give me any figure, while we are upon that point, showing the relative populations and rateable values?—Population will do at present. I can only give a comparative statement of the eight metropolitan companies.

44. Yes, that will do?—The population in the area of supply of the eight metropolitan companies according to the water examiner's return is about five and three-quarter millions; the county of London I believe is estimated now at four and a-quarter millions; so that if the County Council were the water authority one and a-half million of people would be unrepresented; and it must not be forgotten that the outer area is very rapidly indeed filling up, and the disproportion will be very much greater in the course of 10 years, and still very much greater in the course

Mr. *Rickards*—continued.

of 20 years, and probably still more so in 80 years, the time allowed for the purchase stock to be redeemed. The rateable value at the present time is, speaking roughly, approximately, 33,000,000 *l.* for the county of London, and 38,000,000 for the water area, the area of the eight companies, that is to say.

45. The county of London including the City of London?—Including the City of London. In taking into account the rateable value of those two areas there are two very important facts to be borne in mind; firstly, that the rateable value outside London represents a very much lower sum proportionally to the rental value of the house than it does in the county of London. For instance, a house in London rented at 200 *l.* a year would be assessed at 167 *l.*, under the provisions of the valuation of the Metropolis Act; outside the metropolis instances have come under my own notice of houses rented at 200 *l.* a year being rated at 120 *l.*, or even less. The second point to be considered is——

46. Therefore you mean to say that the rateable value outside the metropolis does not bear the same proportion to the gross value as it does inside?—Quite so. I mean that if you want to make a fair comparison you will have to add an unascertained amount to the rateable value outside London in order to bring it up to the same proportion of the rental value of the property. The second consideration is that which I have already referred to in population, and that is, that the area in the outer ring is rapidly filling up, and therefore it may be assumed that the rateable value will increase for two reasons; first of all, by the addition of new properties at a very rapid rate; and, secondly, by the increased rental value derived from districts becoming filled up with residential houses and buildings.

47. And did all those considerations, in the opinion of your committee, point to representation of the consumers outside the county of London?—Yes.

48. Now, with regard to the acquisition of the undertakings of the eight metropolitan water companies, you considered, did you not, that it was impracticable to establish a competing supply, and that in view of the existing mains and works of the companies, and the fact that you proposed to establish a monopoly, it was necessary for you to acquire the undertakings of the existing water companies?—Yes. It is quite clear that to have a competing supply would be ruinous to both parties. The committee carefully considered the engineering evidence also which had been given before Sir William Harcourt's Committee, and also Sir Robert Rawlinson's evidence given before the County Purposes Committee at the Guildhall last year, and came to the conclusion that, subject to re-arrangement, the water supply of the existing companies, supplemented as is proposed by the Bill, would serve for some time to come.

49. I think you consulted your engineer, who is also the engineer of the Rickmansworth and Uxbridge Water Works Company (Mr. Grover), upon the subject of supplemental supply, did you not?—Yes.

Mr. *Richards*—continued.

50. And was the result of that that you determined to apply to Parliament for powers to acquire the undertakings of the Rickmansworth and Uxbridge Waterworks Company, and the Leatherhuad and District Waterworks Company?—Yes. We are advised that from twenty to fifty million gallons of water are practically running to waste at the present time, which might be used in supplementing the London supply without detriment to any existing interest, and that the water itself is absolutely pure and clear, requiring neither filtration nor storage for settlement; and I may say that the result of the inquiries at this stage of the committee produced a result somewhat contrary to the proconceived ideas of some members of the committee. Some members of the committee rather leant at first to the possibility of introducing, if not a competing supply, at any rate an independent supply, but as the inquiry proceeded, with one or two exceptions, they came to the conclusion that it was futile to consider an independent or competing supply.

Sir *Algernon Borthwick.*

51. What is the proportion of those two; the Rickmansworth and the Leatherhead?—The Leatherhead, I believe, Sir, is 10,000,000 gallons; and the Rickmansworth an unascertained amount of between 20,000,000 and 30,000,000 per day at the present time, which could easily be supplemented by additional boring.

Mr. *Rickards.*

52. Besides the supplemental supply, did you consider that the purity of the water obtained by deep wells sunk through the chalk down to the green sand in the Rickmansworth and Leatherhead districts was of great importance to the metropolis, or might become of great importance to the metropolis?—Certainly. The general drift of the evidence at all the inquiries appears to be this: that for potable purposes the best water in the world is given by an admixture of the Thames and chalk waters. Supposing the eight companies' undertakings are acquired, the trust would then be in possession of deep well water; chalk water, on the East of London, the Kent Company; and if they acquired the Leatherhead and Rickmansworth they would have chalk water on the west of London. Consequently they would be able to supply to London water of a uniform and exceedingly good quality for potable purposes.

53. And did your committee come to the conclusion, from the report of the engineer, that they could acquire those undertakings and take water from those districts without local injury to the districts supplied by the Rickmansworth and the Leatherhead Companies?—Yes; that is a point that was put very strongly to Mr. Grover, and he advised the committee emphatically that no existing interest would be prejudiced at all by the course we proposed to adopt.

54. The Rickmansworth Waterworks Company's district is very near the district of the Grand Junction Waterworks Company, is it not?—I believe the nearest point is about half to three-quarters of a mile; but where we propose to take wayleaves (I am not quite sure whether Mr. Grover would not be more accurate) I believe is about 11 miles; but probably Mr. Grover could give evidence more accurately upon that point. We propose to take wayleaves from the Rickmansworth Reservoir to the district of the Grand Junction Company at Ealing.

55. On this map you have now before you, Sir, you will see the short distance there is between the Rickmansworth district.

Chairman.] You had better, perhaps, leave this to the engineer to deal with, when he comes.

Mr. *Rickards.*

56. I think so, too, Sir. (To the *Witness.*) You came to the conclusion that the best way of representing the water consumers, both outside the county of London and inside it, would be by the establishment of a Water Trust?—Yes.

57. And you accordingly take power in your Bill to establish the Trust?—Yes.

58. And you propose to confer upon that Trust a monopoly of supply of water, do you not?—Yes, with certain exceptions, the exceptions which are given in the 49th Clause, I think.

59. The exceptions are in the 49th Clause. You specially, I think, in the 49th Clause of the Bill, preserve the rights of sanitary authorities. You are speaking of the proviso in the 49th Section (page 31), "that nothing in this section shall prejudicially affect the rights of any sanitary authority under the Public Health Act, 1875"?—Quite so.

60. That was intended to safeguard the interests of sanitary authorities outside the metropolis who are under the Public Health Act, and under the Public Health Act have powers to supply themselves, subject to certain conditions; and was it intended to include such cases as that of the Corporation of Richmond?—Yes, that sub-section had that in view, certainly, but I do not see any objection to putting Richmond, excepting that, under the second sub-section.

61. Under the second sub-section of that clause. You are willing to exclude Richmond from coming under the rule of monopoly of supply in the hands of the Water Trust?—Yes; that is to say, the Water Trust and the Richmond Corporation would have concurrent rights, the same as the Southwark and Vauxhall Company and the Richmond Corporation now have The whole principle of the Bill is to interfere as little as possible with existing rights and privileges.

62. And you are willing to preserve the rights of the Corporation of Richmond as to water supply by adding them to Sub-clause 2 of the 49th Clause?—If the proviso in that clause is not sufficient.

63. Then you propose, subject to the existing rights of corporations or companies in the position of those named in that Sub-clause 2 to confer a monopoly of supply upon the Water Trust?—Yes.

64. Now, to pass on, and to a certain extent to

Mr. *Rickards*—continued.

to touch upon one advantage of centralisation, and for administrative purposes, do you hope to establish a greater equality, or absolute equality so far as is consistent with other considerations of water charges throughout the area?—That is one of the purposes of the Bill. I am convinced of the accuracy of it. I can illustrate that by this table. It is taken from the evidence of Mr. S. Wood, at the Guildhall inquiry last year, but I have satisfied myself as far as I can, looking at the statutory rates of charge, that it is correct. It relates to a house of 50 *l.* rateable value with one water-closet.

65. This is under the present system?—Under the present scale of charges. The scale authorised by the Chelsea Company's Act is 2 *l.* 4 *s.* a year; the East London, 2 *l.* 14 *s.*; the Grand Junction, 2 *l.* 4 *s.*; the Kent, 2 *l.* 10 *s.*; the Lambeth, 3 *l.* 17 *s.*; the New River, 2 *l.* 4 *s.*; the Southwark and Vauxhall, 2 *l.* 14 *s.*; and the West Middlesex, 2 *l.* 4 *s.*

66. This is from the County Purposes Report?—From the County Purposes Report.

Mr. *Pember.*

67. Page 19 of your pamphlet is it not?—Yes, the initial rate charge is four per cent. in some of the districts, up to 7½ per cent. in others.

Mr. *Rickards.*

68. Then at the present time you have got water rates on houses of the same value, and with one water-closet only, ranging from 2 *l.* 4 *s.* to 3 *l.* 17 *s.*?—That is so; and in the district where the higher charges are in force, I should think, speaking generally, the population would be poorer.

69. As for example Lambeth?—As for example Lambeth.

Mr. *Pember.*

70. Are those actual charges or maximum?—Those are the maximum charges.

Mr. *Rickards.*

71. Have you got the actual charges made?—I believe they are the same. I believe the companies are in each case going up to their maximum.

72. Now as to the acquisition of the undertakings of the water companies. You propose, do you not, to take compulsory powers of purchase over the undertakings of the existing water companies?—Yes.

73. And to constitute a board of arbitration for deciding (failing agreement) the amount of compensation due to each company?—Yes.

74. And you give the Water Trust two years within which to give notice to the existing water companies of their intention to purchase?—That is so. I think the intention of the committee, or rather what the committee had in view, was this: that immediately after the Trust was established they would make a general inquiry into the whole of the water undertakings, they would serve notice upon one of the companies, and let them go to arbitration. That case would be thoroughly thrashed out, and then, before the two years were expired, the Water Trust would know better their position, and what further action to take.

Mr. *Rickards*—continued.

75. But of course you contemplate under the Bill the acquisition of the undertakings of all the water companies?—Yes, but not within two years.

76. Oh, no, the notice to be given within two years?—The notice is to be given within two years.

77. I will come in a few minutes to the question of the basis of compensation. Perhaps the shortest way would be now to take you to the constitution of the board of arbitration, while we are on the question of acquisition. You have already practically given the reasons why you consider that one and the same board should deal with the undertakings of all the companies. That board is to consist of four members, is it not?—Four members.

78. One nominated by the President of the Local Government Board?—Yes.

79. One for financial purposes nominated by the chairman of the Institute of Bankers?—Yes.

80. One for engineering questions, nominated by the President of the Institution of Civil Engineers?—Yes.

81. And one for valuation purposes, nominated by the President of the Surveyor's Institution?—Yes. The official arbitrator, the one appointed by the Local Government Board, would be *ex-officio* chairman of the board, and, if necessary, have a casting vote in settling questions that were put to the vote of the board of arbitration.

82. It is a matter rather of detail, but I think as a matter of fact you have provided by the Bill that, in case of the member nominated by the President of the Local Government Board being unable to attend any particular arbitration, the remaining members of the board can nominate their own chairman?—Yes.

Mr. *Pember.*] You let drop some word just now about "one for valuation purposes" being nominated?

Mr. *Rickards.*] Yes.

Mr. *Pember.*] There is nothing like that in your Bill.

Mr. *Rickards.*] That is in the explanation as to why we take these four different bodies, the Local Government Board, the Institute of Bankers, the Institute of Civil Engineers, and the Surveyors' Institution, and why we have put upon them, or asked them, to nominate members of the board of arbitration.

Mr. *Pember.*] There is no limit to their power of nominating?

Mr. *Rickards*] No.

Witness.] The reason was that gentlemen appointed by these bodies would be assumed to appreciate at its proper value the evidence of the different classes that would be presented to it. The Local Government Board would, no doubt, appoint a gentleman accustomed to hold inquiries, and who would appreciate the value of general evidence. The nominee of the Institute of Bankers would appreciate financial evidence; the nominee of the President of the Institution of Civil

Mr. *Rickards*—continued.

Engineers would, no doubt, understand the engineering evidence; and the nominee of the Surveyors' Institution would understand the valuation evidence. That was really the basis upon which the board of arbitration was formed, but that is rather a matter of detail. Although all the details of the Bill have been carefully thought out, it is not a vital principle of the Bill. The Board of Arbitration, of course, could be varied; but that is the reason why that particular board was formulated.

83. You have rightly said that the actual constitution of the board of arbitration is a matter rather of detail than a vital principle of the Bill?—Certainly.

84. But you carefully considered it, and you thought that a board of this size, four members, was about the right size, and that those bodies were as good as any you could find to nominate the members of the board of arbitration?—Oh, yes. You see they would be appointed under a sense of very deep responsibility, and they would act under a sense of very deep responsibility, because the issue at stake would be very large. Then they would make the declaration of the Lands Clauses Consolidation Act, and, of course, they would always have public opinion before them ready to criticise any award they might make.

85. I hope behind them too. And they are not to give their services for nothing?—No, they are to be paid. That is Sub-section 7 of pape 7.

86. Then, I believe, you have given power to the arbitrators to state a special case for the High Court on questions of law, but on questions of fact and amount their decision is to be final?—Yes.

87. Following the precedent of the constitution and powers of the commissioners appointed under the Local Government Act of 1888 for settling questions between the counties and outside areas?—Yes; that was the main precedent that we had in view, and the most recent.

88. Then it is customary, is it not, for arbitrators to award 10 per cent. for compulsory purchase?—It is customary, but not obligatory.

89. That you have left an open question, and have given no instruction to the arbitrators upon?—No, we give no direction on that point to the arbitrators, but of course no doubt it would be argued on behalf of the purchasers that the superior security offered the shareholders of the water companies, a triple security as against a fluctuating security, a triple and absolute security, would be worth something, (if not the whole of the 10 per cent.) for the compulsory purchase.

90. Then as I have said you do not propose to admit any appeal against the award of the arbitrators?—No.

91. And you have in view the object of saving the expense and also of ensuring greater care in making the award in the first instance?—Yes. I think ensuring greater care in making the award was the main principle that weighed with the committee. It was not so much the matter of

Mr. *Rickards*—continued.

saving exyense. It is evident that if the arbitrators' award is to be final, they will take very much more care in framing their award than they would if there was any chance of appeal.

92. Then you have introduced careful rules for the sitting of the court, and the adjournment and so forth?—Yes. I think that is all provided for; all the details.

93. You have provided, as I have said before, for a vacancy occurring in the office of any member of the board of arbitration, the way it shall be filled (namely by the same body who nominated such member as an arbitrator), and you have provided that if such a vacancy occurs during the progress of any inquiry held by the board of arbitration, the remaining members of the board of arbitration shall have power to finish the hearing of the case and make their award?—Yes, in that one case. There is also a provision in the same sub-section that if the nominating bodies fail to appoint, the Home Secretary may appoint over their heads or in their stead.

94. You have then provided for the appointment of officers and servants required by the board of arbitration during their sitting, clerks, and so forth?—Yes; it is quite possible that they may like to employ an expert to advise them on special points. They have power to do that here, as well as to employ mere clerks.

95. And you have provided that the officers and servants appointed for the assistance of the board of arbitration shall receive such salary or remuneration as the Local Government Board may assign?—Yes.

96. That is Sub-section 9. In Sub-section 10 of Section 13 you have given them absolute discretion and absolute power to decide not merely the question of the total amount of compensation payable, but all matters incidental thereto?—Yes.

97. Then by Sub-clause 11 you have provided that they "shall distinguish in their award respecting any of the scheduled companies the amounts of compensation payable in respect of each class of shares, stock, or mortgages respectively of such company"?—Yes. The object of that is to facilitate the dissolution of the companies, and also to minimise the expense of dissolution.

98. Then you have provided by Sub-clause 12 that the award and orders of the board of arbitration shall be binding and conclusive to all intents and purposes, and shall have the same effect as if made by a judge of the High Court?—Yes, and shall not be removeable to the High Court.

99. And that such award shall not be removeable; that it shall be final?—Yes.

100. Then you have left the cost of the inquiry and award to be determined also by the board of arbitration?—Yes, with power under the 3rd Sub-section to disallow any costs which they think have been unnecessarily incurred on either side.

101. I do not want to go through every single word of Clause 13 of the Bill; but have you, to the best of your belief, dealt with all the questions that would arise from the constitution of the board of arbitration and the exercise of the powers

Mr. *Rickards*—continued.

powers conferred upon them by the Act?—I think so. I have very carefully considered this clause, and I do not see any provision that needs to be inserted to supplement it. Of course, it is quite possible that in working, some little alteration may be required, but I have very carefully considered it and I cannot see anything at present.

102. Now we come to the most important part perhaps of the whole clause, certainly the most important part to my friends who represent the water companies, and that is, the manner by which the arbitrators are to arrive at the amount of compensation payable to each company. Now first of all will you explain to the the Committee the object of these words: "In estimating the amount of compensation payable in respect of the undertaking of any company the board of arbitration shall have regard to the value of such undertakings prior to the introduction into Parliament of the Bill for this Act." Will you very briefly explain the object of that 14th Subclause as far as I have read it. First of all the word "undertakings"?—The undertaking is defined by the 53rd Clause of the Bill, and is taken to mean "in the case of any of the scheduled companies all such property, real and personal, including cash balances, reserve funds, investments, and all other interests and rights into, and out of the property, real and personal, and obligations and things in action as may be in the possession of or belong to such company at the date of the agreement for sale by such company, or failing such agreement at the date of the award of the board of arbitration respecting such company"; that is to say, that the "undertaking" means everything the water company has got, including lands.

103. And what is the object of introducing into the clause the words, "value of such undertakings prior to the introduction into Parliament of the Bill for this Act"?

Mr. *Balfour Browne.*] On that Sub-section 14, we are not certain whether it is exactly right as you intend it now. Will you mind reading it, you have read it, "for this Act."——

Mr. *Rickards.*] "For this Act" stands.

Mr. *Rigg.*] In your amendment you propose to omit that.

Mr. *Rickards.*] No; it is omitted from the word "Act," "for this Act" stands.

Witness.] The two main objects for making that addition are these; first of all that improvident expenditure or improvident raising of capital in the interval, is not to be taken into account. Supposing for instance that the company were to disburse any called-up capital that may be unexpended, is they incurred unnecessary expense, then it would be the duty of the arbitrators not to take that into account.

104. When you say "disburse," you mean issue, I suppose, do not you?—Well, it might take that as well; but I am assuming now that some of the companies may possibly have some called-up capital unexpended; they may have a capital balance unspent, also to exercise powers improperly. I do not know whether I might give an illustration of what I mean.

Mr. *Rickards*—continued.

105. I think perhaps you had better?—Take, for example, this: Under the last Act the West Middlesex Water Company had power to create a large sum of preference stock to be issued rateably among the holders of the consolidated stock. In the month of January this year the Directors of the West Middlesex Company exhausted those powers by issuing to the holders of the consolidated stock something like 50,000 *l.* of preferential stock at par rateably upon the holdings of the consolidated water stock to the shareholders, and the market value of this preferential stock, I understand, is something like between 130 and 140 per cent.; consequently the West Middlesex Company have made a present to the ordinary shareholders of the company of stock at 100 *l.* which is really worth in the market 130 *l.* to 140 *l.*; and that balance of 30 or 40 per cent. ought not to be taken into account if capital is issued after the introduction of this Bill into Parliament. I am afraid that particular illustration will be outside this Bill, because, speaking from memory, the capital was issued immediately befor the introduction of this Bill into Parliament.

106. But it is to provide against similar cases and similar issue of capital to shareholders; that is one of the objects?—That is one of the objects.

107. Was it also to prevent any increased expenditure upon works that might not be necessary, in order to enhance their value?—Yes, that is so; and the third reason is to prevent any claim being set up in respect of the additional income arising from the revaluation of property which came into force on the 6th April; and I estimate the capital value of this increase at a very large sum indeed. If you will allow me to give a few figures——.

108. I should ask you this: At what do you estimate the capital value of the increase of the valuation of property that has come into force under the quinquennial valuation made this year under the Metropolis Valuation Act of 1869?—Of course it is a very difficult thing to arrive at any exact figures; but, carefully considering the whole subject, I think that the capital value of this increase, apart altogether from any addition for new buildings, would be something like 950,000 *l.* For instance, the total increase in the rateable value of the county of London in the quinquennial valuation, subject to appeal, is 1,493,063 *l.* Now, if you take the average of the previous five years, which I suppose we may take to represent exclusively new buildings or additions to existing buildings, we find that the average of those five years is something like 250,000 *l.* a year.

109. Do you mean when you say the capital value of the increase?—I think, if I might go on with my figures, you will see clearly.

110. You mean the increase arising from the quinquennial re-valuation of property on the same buildings and in respect of the same water supply, the capital value is 943,000 *l.*?—Yes, that is apart altogether from new buildings, as I have said.

Mr. *Rickards*—continued.

111. Apart altogether from new buildings which get a fresh supply?—Yes; and the way I arrive at it is this: as I have said, the total increase in the quinquennial year is 1,493,000 *l.*; the average for the previous five years is 250,000 *l.*

112. The average of what?—The average annual addition to the rateable value of the county of London.

113. Arising out of the supply of new buildings?—Arising out of the supply of new buildings or not necessarily new buildings, but buildings improved in letting value.

114. I want to get that quite clear. The 943,000 *l.* represents the increase of revenue capitalised by the supply by the water companies to existing buildings?—Yes; it is an unearned increment. It is an addition to their revenue, derived exclusively from the automatic raising of the rateable value of the property within their area.

115. That is to say the company will not necessarily have to supply any additional water, but they will get the increased revenue under the re-valuation which has recently taken place represented by the capital value of 943,000 *l.*

Mr. *Pember.*] Why cannot you say what the revenue is?

Mr. *Rickards.*

115*. That is what they get without giving anything more for it; is that so?—That is so; and you may strengthen it.

116. Explain this in your own way?—You may strengthen your last statement by saying that in some cases the supply of water will be actually diminshed. If you take a house for instance that has been let as a dwelling rated at 60 *l.* a year, they of course would consume more water than the same building if it were let out in separate flats and rated probably at 100 *l* a year.

117. Now prove your figures, please?—The total increase as I have said in the rateable value for the quinquennial year is 1,493,063 *l.*, that is from all causes. If you take the average of the previous foua years which may be taken as representing almost exclusively new buildings, that is 250,000 *l.*; that must be deducted of course. Then also you must deduct in addition the rateable value of property not supplied with water, such for instance as the mains of gas and water and other companies, railways, lands, wharves, warehouses, advertising stations, and buildings that are either not supplied with water at all or are supplied with water at a fixed annual charge or by meter. I should think that the rateable value of those properties might be taken at about 6,000,000 *l.* I think that would be rather an outside estimate, and that the increase on the quenquennial valuation would probably be 300,000 *l.*

118. That is 5 per cent.?—That is 5 per cent. on the 6,000,000*l.*; so that the result will stand thus: a total increase of 1,493,000 *l.*

119. Under the quinquennial re-valuation?—Under the quinquennial re-valuation.

120. From that you deduct?—From that you deduct the average for new buildings 250,000 *l.*, and you deduct for increase in special properties a further 300,000 *l.*, making a total deduction of

Mr. *Rickards*—continued.

550,000 *l.*, leaving the net increase arising from the automatic re-valuation of property at 943,063*l.* The charge for water for domestic purposes varies, in the case of houses rated under 200 *l.*, from 4 per cent. to 5 per cent.; in some cases in small properties the maximum rate is smaller; but if you take the lowest, take it at 4 per cent., that would give you a net increase at 4 per cent. on 943,000 *l.* of 37,772 *l.*, as an annual income distributed over the eight companies, of course in varying proportions, to be derived from the automatic re-valuation of property during the quinquennial year.

121. Tell me if I am right, 37,700 *l.* represents the additional revenue that the water companies will derive from the quenquinnial revaluation without having to give a further supply; is that correct?—Yes, that is so; that is quite correct.

Mr. *Pember.*] Can you give us a copy of those figures, Mr. Rickards. It is very difficult to follow them. I think, Sir, as we shall probably be indulged with a good many figures during this investigation, it is only fair to the opponents that the promoters should have ready a copy of the figures to hand to counsel, at all events; it is usually done.

Mr. *Rickards.*] I will certainly do everything I can in that way.

Mr. *Pember.*] That is no answer. I am asking the Honourable Chairman if he will give us a specific, or force you rather to give us a specific undertaking that we shall have copies of these figures supplied to us. It is impossible to deal with them by taking them down from the lips of the witness, who of course, speaks with some rapidity.

Mr. *Rickards.*] It will all appear in the Minutes of Evidence to-morrow morning.

Mr. *Pember.*] I dare say. That, again, is not satisfactory, for this reason; some of us would have to cross-examine to-day. It is usually done, and I do not see why it should not be done in this case.

Mr. *Rickards*] The best way I can arrive at it is by lending you a copy of the brief.

Mr. *Pember.*] Excuse me for saying that I do not think that is by any means the best way of arriving at it. It is the worst; and I will tell why: it only gives me one copy, and does not give a copy to anyone else. I ask that figures that are going to be given in this illustrative form (copies) should be provided for the opponents.

Mr. *Rickards.*] I do not know that I am obliged to make the case of the 20 opponents, or to help 20 opponents in criticising the provisions of this Bill; it is impossible for me to foresee what figures the opponents to the Bill will require tabulated. The usual course is that all these figures are put in the shorthand notes, and my learned friends use them for their purposes when they come to cross-examine; if any of my learned friends do want to cross-examine on this particular table of figures to-day I will lend them a copy of the figures as they stand, and as I have asked the witness. That is all I can do, and all I can reasonably be expected to do.

Mr.

Mr. *Pember.*] Your answer is that it is not usual to supply the figures to your opponents; I say that it is, on the contrary, extremely usual. The usual thing is in matters of this kind for copies to be furnished at once. There is a regulation of the same kind that I may speak of now, adopted by the Joint Committee of the two Houses sitting on Railway Rates; the practice is invariable when figures are going to be used, that those who are going to propound them should supply copies to the opponents. They must know beforehand whether they are going to use them or not.

Chairman.] I do not think it is possible for the Committee to make a general order that all figures to be given in evidence-in-chief are to be supplied in advance to the opponents.

Mr. *Rickards.*] I cannot do it, Sir.

Chairman.] It is reasonable and right that they should, as far as possible, be supplied; but I do not see how we are to make a general order to that effect.

Mr. *Pember.*] My learned friend says it cannot be done; all I can say is that this is the first case I know of in which it has not been done.

Chairman.] I do not remember any case in which it has been done, or done universally; I think these figures should be given; they are very obviously important figures.

Mr. *Pember.*] That is enough for me if you say so, Sir.

Mr. *Rickards.*] I have no objection to give the figures. I wish the Committee to be in possession of the facts, and I wish our proposals to be criticised on all points that they can be; the thing is what is practicable. How could I possibly foresee that my learned friends were going to ask me for a table of this kind.

Mr. *Pember.*] I should have thought it the most easy thing in the world to foresee.

Mr. *Rickards.*] I will lend you a clean copy of the page of the brief which contains these figures, so that when you come to cross-examine you can deal with them.

Mr. *Pember.*] Cannot you give the real reason, that there is no money to do it.

Mr. *Rickards.*] No, that is not the reason at all, Mr. Pember.

Witness.] Poverty is no sin.

Mr. *Rickards.*] If I was put in the witness-box I could say a good deal about that.

Sir *Algernon Brothwick.*] These are mere incidental figures and statements of figures, as I understand.

Mr. *Rickards.*] They are.

Sir *Algernon Brothwick.*] It is not like as though you were setting forth specific figures of a claim, in which case you would be bound to set forth all the figures in detail; these are merely incidental to the evidence of the witness.

Mr. *Bolton.*] And there is no force in the observation that you are, with small means, to fight powerful corporations.

Mr. *Rickards.*] I hope there is no force, Sir, in it. All I can say is with regard to the expenses of this inquiry that they are absolutely paid for

Mr. *Rickards*—continued.

up to date; and I hope my learned friends are in the same position. Now, Sir, I think that is enough on that. I have said what I can do, and I cannot do more.

Witness.] I have a spare copy. (*Handing the same to Mr. Pember*). I believe that is word for word what I have been giving. The total revenue of 37,722 *l.* of course is spread over the eight companies, so that it would only give an average of between 4,000 *l.* and 5,000 *l.* a year to each company.

122. That is a very fair qualification to make?—If you capitalise that at 25 years' purchase, that should represent of course the same sum as that upon which the 4 per cent. is calculated, namely, the 943,063 *l.*

123. I think we had now better go back for a moment to the remainder of Sub-clause 14 of Clause 13 of the Bill. You have now given at some length the reasons why you have introduced the words in the clause so far as you have got: "prior to the introduction into Parliament of the Bill for this Act"; there I take it that it is to prevent the public having to buy the undertakings of the companies at an increased value on account of the unnecessary issue of capital?—Yes, that is the first reason.

124. Also to prevent the public having to pay for the increased revenue in any form which the companies may derive from the quinquennial re-valuation of property in the metropolis?—That is the second reason.

125. And also to prevent unjustifiable capital expenditure on works?—That is the third reason.

126. Now I take you to the remainder of Sub-clause 14, which is contained in the amendment; it is on the first page of the amendment, and reads as follows: "And the adequacy, both as regards the quantity and quality of the water derived therefrom, of the sources of supply from which such company takes its water, in view of the present and probable future requirements of the district supplied by such company, and the efficiency and condition of the works and undertaking of such company." Is your object to give the shareholders of the company fair value for their holdings, subject to probable expenditure in the future by the companies upon the construction of new works and the resort to fresh sources of supply?—Yes, that may be taken as generally the purpose, that is to say, the undertaking is to be valued, having regard to these considerations. I should like to say, I do not know whether I may, that I have seen criticisms upon this clause based upon an entire misapprehension. It has been stated that the basis of this clause is the taking of the market value of the stocks and shares. There is not a word to justify that statement. As I have said, the undertaking is something totally different; and of course, if the stocks and shares were to be the basis of purchase, you would not require an elaborate board of arbitration, you would simply call in an accountant and a clerk.

127. Of course the companies will be able to give evidence before the board of arbitration of

Mr. *Rickards*—continued.

the value of the stocks and shares?—Certainly, that will be an element.

128. And the Water Trust will be able to give evidence as to the probable future expenditure of companies reducing the present, or the then market value of the shares?—That will be another element.

129. One of the considerations that they are to take into consideration under your amendment is the adequacy of the sources of supply, both as regards the quantity and quality of the water supplied, and also the present and probable future requirements of the districts supplied by each company; and lastly, the efficiency and condition of the works of the company as a going concern?—Yes.

130. Do you consider that those instructions will enable the board of arbitration to take into consideration both the interests of the ratepayers and the equitable claims of the water companies to compensation?—That is the intention; that the arbitrators should be able and authorised to strike a fair balance between both parties; that is to say, that the companies should not be defrauded of one penny of what they are rightly entitled to, and on the other hand that the ratepayers should not pay one penny beyond what the condition of the works and necessary expenditure renders justifiable.

131. Now for the creation of the stock to pay for the undertakings of the companies and the current expenses of the Water Trust. You propose to create consolidated water stock for the purpose of buying out the existing water companies?—Yes. It will practically be an exchange of stock receipts.

132. That is in the case of all those shareholders?—In the case of those who like to take purchase stock. If they do not like to take purchased stock, but prefer to take cash, the cash is to be provided for them.

133. And the cash will be paid in proportion to the value of the holdings of the different classes of shareholders, as estimated by the board of arbitration?—Yes.

134. That is to say, it would not be an amount of cash exactly equivalent to the market value of the shares of the companies' shareholders, but an amount in proportion to the valuation of the companies undertakings in relation to the market value or to the nominal value of the holdings?—Yes. It may be either more or less than the market value. I should think it would be almost impossible to say that it would be exactly the same as the market value. I should think it would be most unlikely.

135. If the market value of the company is, we will say, a million and a half, and the board of arbitrator only award them a million of money as compensation for the compulsory acquisition of the undertaking of the company, the shareholders will be allotted a proportionately smaller amount of stock (those who accept stock), and the shareholders who are paid in cash will be allotted a proportionately smaller amount of cash?—Yes; of course the amount of cash would represent the amount they would receive in purchase stock.

Mr. *Bristowe*.

136. It is really an equivalent?—Yes, it is an equivalent, exactly so. Of course, if the arbitrators awarded two millions as against the market value of a million and a half, the shareholders would derive the benefit.

Mr. *Rickards*.

137. Then the financial clauses of your Bill are prepared with great attention to detail?—Yes, they have been very carefully considered indeed.

138. And they provide for the apportionment of the stock amongst the existing shareholders of the companies, for the shareholders of the companies who accept that stock being placed upon the register of the Water Trust, and for such questions as the holding of that stock in lieu of water companies' stock by trustees and so forth?—Yes.

139. Then you propose to give the debenture stockholders, the preferential shareholders, and the mortgagees, the same security as against the combined undertakings as a whole in the hands of the Water Trust, as they have against the undertakings of the existing water companies?—The debenture stockholders, the preferential shareholders, and the mortgagees are certainly not to be prejudiced, their rights will not be lessened; but I imagine, seeing the security of the purchase stock, that the debenture stockholders, the preferential shareholders, and the mortgagees, especially where the denomination of any stock is very small in amount and therefore not very readily marketable, I think that in those cases the holders of that stock would exercise the option given to them, both as classes and as individuals, of converting into the purchase stock of the trust.

140. Now them for the security of this water stock?—It would be such a security that I know nothing on the market equal to it. You have got a triple security. First of all, it is secured on the whole of the property of the undertakings; secondly, it is secured.

141. This is under Clause 21 of the Bill I think?—Yes, Clause 21. It is first of all secured on the property of the undertakings; secondly, on the water rentals and revenues, representing something like, at the present time, about 1,200,000 *l.* a year; and thirdly, on the local rate of the whole area which, as I have told you, is four times the size of the county of London, and is rapidly increasing both in population and I assume also in rateable value; so that in place of the one security on the revenue of the company, or (in the case of the debenture holders or mortgagees) of the property of one undertaking, the stock holders here will have the triple security I have mentioned, the whole property of the undertakings, the whole revenue of the undertakings, and, to back that up, the whole rateable value of the whole area of supply.

142. Now, as you have said before, you know of no security better than, or even as good, as that at the present time?—No, not so well secured.

143. For instance, the consolidated metropolitan stock is not secured on any undertakings, is it?

Mr. *Rickards*—continued.

it?—No, they have no property with mortgaging; that is to say, the county council; they have no revenue except that perived from rates; and the rateable value, of course, of the county of London is mortgaged not only by the county council but by other bodies.

Mr. *Lawson.*] Is not that the alternative security in the Bill?

Mr. *Rickards.*] The alternative security of the county council.

Witness.] Yes.

Mr. *Rickards.*] Yes it is as I have said before; but I have opened the Bill as a Water Trust Bill, and am proceeding with it as a Water Trust Bill.

Mr. *Bolton.*] If the shareholder has the option of requiring to be paid in cash, what necessity is there for discussing the value of the alternative security?

Mr. *Rickards.*] I will tell you. The idea of it is this: We wish to show that we shall not have to issue this purchase stock as a whole and throw it upon the market, because our security is so good that the shareholders of the existing water companies will be very pleased to accept our stock in lieu of the stock they at present hold in the water companies. Therefore I mean the difficulties of finance are considerably lessened. There would not be this enormous amount issued and thrown upon the market, no doubt causing for the time some depreciation of the stock itself.

Mr. Lawson.] I have the Bill in my hand. I suppose this is the Bill the Committee are asked to consider. You are not depending one part and rejecting another, beyond the amendment you have stated to the Committee. You wish to introduce the Bill as it stands on this paper.

Mr. *Rickards.*] The Bill stands for the purposes of Parliament as it is upon this paper; but I point out to the Committee that the evidence I am now giving is given in view of the opposition of the London county council, and the allegations in their petition. I am treating the Bill as a Water Trust Bill.

Mr. *Balfour Browne.*] We want to know what we are, which Bill you are promoting.

Mr. *Rickards.*] Well, it is all one Bill, Mr. Browne. At present I am promoting the Water Bill Trust.

Mr. *Lawson.*] It is the Water Supply Bill.

Mr. *Rickards.*] It is the Water Supply Bill.

Mr. *Lawson.*] Not a Water Trust for the City.

Mr. *Rickards.*

143*. No, it a water supply Bill dealing with the whole question. (To the *Witness.*) Now to return to the question before that interruption. You have described the nature of the security which you give to the shareholders of the existing water companies, and as an ultimate resort you have provided that a deficiency of revenue may be met by a charge upon the local rates?—Yes.

144. I take it you do not consider that any

Mr. *Rickards*—continued.

such resort will have to be made to the local rates, but you have introduced it as a matter of precaution?—Quite so. I think it is most unlikely.

145. Is the principle of resorting to the local rates a new one in such cases?—Not by any means.

146. Can you give the Committee any precedents of resorting to local rates in other matters?—If you take London only, you have the London county council. They can mortgage the whole rates of the county of London. The London school board concurrently with, and independently of, the London county council, can mortgage the rates of the whole county of London.

147. That is under the Education Act of 1870?—Yes. The managers of the Metropolitan Asylums Board independently of, and concurrently with, the county council and the school board can mortgage the rates of the whole area of the county of London; in each district every vestry can mortgage the rates of its own district; in each union each board of guardians can mortgage the rates of its own union.

Chairman.] This is matter of common knowledge I think, Mr. Rickards?

Witness.] So with public baths, libraries, and so on.

Mr. *Rickards.*

148. Do you consider the supply of water to the metropolis is of, at least, as great importance as some of the instances which you have mentioned where resort has been had to the local rates?—Yes, I should think, for instance, the provision of water is quite as important to the community as the provision of prisons.

Sir *Algernon Borthwick.*] Your attempt is to show that you are offering so valuable a stock to the community at large, and to the shareholders in particular, that it is not in much danger of fluctuation; is that so?

Mr. *Rickards.*] That is so.

Sir *Algernon Borthwick.*] For instance, as against Consols, instead of putting it against local matters, if there was a disturbance in the Balkans to-morrow I suppose Consols would go down 3 or 4 per cent.; whereas the value of this drinking water of London would not be likely to fall off, secured as it would be under this, first, upon the undertakings; secondly, on the revenue; and, thirdly, on the rates?

Witness.] I think it would not fluctuate even as much as Mr. Goschen's Consols.

Mr. *Lawson.*] It would be as good as the stock before the conversion.

Mr. *Rickards.*] Therefore we are not likely to have to resort to the local rates at all?

Witness.] It is most unlikely.

Mr. *Bristowe.*] Unless they were to do away with water rates.

Mr. *Rickards.*] Unless they were to do away with drinking water altogether, Sir.

Mr. *Bristowe.*] No, do away with the rates, I said.

Witness.] Of course water is a prime necessity.

Mr. *Rickards.*

149. While on the subject of the local rates, it is the local rates not only of the metropolis, such as are pledged by the London county council, but it is the local rates of the whole of the metropolitan water area?—That is so.

150. Which is a very much more extensive area?—It is a more extensive area, and the rateable value outside the county of London is pledged to a very much smaller extent than the rates of the county of London. The rateable value of the county of London is pledged practically to more than a year's income; that is to say, the rateable value of London is 33,000,000 *l.*, and the amount borrowed on the security of the rates slightly exceeds that; whereas the rateable value in the outer district is pledged to a comparatively small extent.

151. Now to proceed with the Bill. By Clause 22 of the Bill you propose to empower the Water Trust to open a credit with the Bank of England for intermediate expenses?—Yes.

152. And that that credit shall not exceed half-a-year's dividend on the purchase stock?—Yes, that is so.

153. Section 22?—Yes, that is an enabling clause. Of course, it will require the consent of the Bank of England.

154. Have you any doubt that the Bank of England would act upon it?—No, I should think not, judging from the way in which they have acted with other public boards.

155. Then in Section 23 you provide for the issue what I may call additional general purposes capital of half-a-million (500,000 *l.*)?—Yes.

156. Will it be necessary for you, besides the purchase-money, to have capital upon which to carry on the undertakings of the companies?—Yes. This, of course, is intended to provide a working capital in addition to the purchase stock; the purchase stock, of course, would go to the shareholders.

157. Now you come to Section 24, the sinking fund; will you explain the proposal as to the creation of the sinking fund to the Committee?—The proposal is that the sinking fund must be commenced at latest at the end of twelve years from the passing of the Act; but if circumstances permit, the sinking fund may be created at an earlier date. The sinking fund is not to extend beyond a period of eighty years from the date of the creation of the fund; so that if it were practicable to commence the creation of the sinking fund, in five years' time it would have to be extinguished in 85 years from the present time.

158. Having regard to the amount of stock to be created, do you consider that that 80 years is a very extreme period?—No.

159. In the case of the Metropolitan Consolidated Stock, I believe it is 60 years?—Sixty years; but there, of course, the expenditure is of a very different character. The 60 years' stock is for street improvements, the purchase of bridges, and so on; what you may call perishable expenditure, and certainly not a revenue-producing expenditure, such as this would be.

160. Then I see you have some words at the

Mr. *Rickards*—continued.

end of the 1st paragraph of Section 24, that the Water Trust "may from time to time, whenever a favourable opportunity occurs, employ the sinking fund in purchasing and extinguishing Consolidated Water Stock"?—Yes.

161. Will you explain that to the Committee?—That is very much in the same way as the sinking fund of the Government is employed. The Chancellor of the Exchequer employs, I believe, his brokers to buy stock in the open market at favourable opportunities; and in the same way the Water Trust would employ their broker to purchase their stock in the market if a favourable opportunity occurred.

162. To buy in, so to speak?—To buy in and to cancel the stock, and reduce the debt to that extent.

Mr. *Lawson.*

163. Is not that the operation of nearly every such fund?—It is a very common provision.

Mr. *Rickards.*

164. By-the-bye, there is one provision which I have, I think, omitted to ask you a question upon. Refer back to Clause 14 for one minute, the first paragraph. "The Water Trust shall from time to time for the purpose of providing the purchase stock, create a sufficient amount of stock to be called Consolidated Water Stock, which shall bear such rate of interest or varying rates of interest as the Water Trust may deem expedient." Do you consider that the provision for issuing the stock or varying the rates of interest according to the state of the market, and so forth, is an advisable one?—Clearly it would be an advantage to the trust to have that power.

Mr. *Pember.*] Perhaps you would ask the question whether that means, if they created a three per cent. stock, they might reduce it to two and a-half per cent.

Mr. *Rickards.*] That is not the intention I gather from the Clause itself.

Witness.] It would be open to that interpretation, of course, following the National Debt Conversion Scheme.

165. The first intention was, that as we issued the stock we might be able from time to time to issue subsequent portions of the stock, when the security came to be understood, at a less rate of interest than we could in the first instance?—I think what was in view was the procedure of the London county council. The first issue of Metropolitan Consolidated Stock by the Metropolitan Board of Works was issued at 3½ per cent., subsequently they issued some at 3 per cent., and latterly the London county council have issued some at 2½ per cent., so that there are three denominations of Metropolitan Consolidated Stock now upon the market, and this section contemplated something of the same kind.

Mr. *Bristowe.*] There is no 2½ per cent. London county council stock, is there?

Mr. *Rickards.*] Two seven-eighths.

[*Witness.*

Witness.] Two and a-half is the nominal interest.

Mr. *Bristowe.*] It was not issued at 2¾, but it became equal to that.

Witness.] It was a small sum.

Mr. *Rickards.*] I dare say the county council will be able to answer that.

Mr. *Freeman.*] We do not know of any such stock.

Sir *Algernon Borthwick.*] It is a provision to take money at the cheapest rate from time to time, is it not?

Mr. *Rickards.*] That is it.

Mr. *Pember.*] It is more than that. If it means anything it means nothing but compulsorily paying off all those who happen to enter at the higher rate.

Sir *Algernon Borthwick.*] I do not understand it so.

Witness.] No; there is no provision for that.

Chairman.] I do not think the clause is very clear I must say, though we see what the intention is.

Mr. *Rickards.*] However, if I can think of any words to make it clearer we will amend it.

Witness.] There is no power of forced redemption in this clause.

166. Clause 25 is the usual power of trustees to take consolidated stock?—Yes; that, of course, would increase the value of the stock.

167. Then, I think, in the second schedule there are a number of provisions which are referred to in Clause 26 and made part of the Act. The second schedule provides a number of provisions, which are usual, that the Consolidated Water Stock shall be personal estate; that there shall be a register; a receipt of joint holders; transfers and transmissions; stock certificates to bearer, and so forth?—Yes.

168. Those are the usual provisions in such cases?—There is nothing unusual in those provisions.

169. Then we come to Clause 27 of the Bill, as to the collection of the water rates; perhaps you would very shortly explain that?—That is a new provision introduced with a double object, first, economy; that is to say, that the one staff of rate collectors should do both the parochial rates and the water rates; and it would also have the advantage that the ratepayer would have all his demands on one paper, instead of different papers coming at irregular intervals. This is permissive merely.

170. The idea is that there may be a more economical and convenient method of collecting the water rates?—Yes, more economical and convenient both to the Water Trust and also to the ratepayers themselves.

171. That it should be collected with the parochial and other rates?—Exactly.

172. Of course the Water Trust is to repay to the rating authorities, the overseers and others, their expenses in connection with this method of collection?—Certainly.

173. And the Water Trust would not employ it unless they found it more economical than directly collecting and having their own officials to collect, themselves?—No, that of course would have to be tried by experiment.

Mr. *Rickards*—continued.

174. Clause 28 of the Bill provides for the application of the monies, and recites first of all, that you shall pay interest; secondly, the expenses of producing a sinking fund; thirdly, a reserve fund for contingencies. I do not think you have said anything about that. Just explain the position of the water companies themselves with regard to the creation of that reserve fund?—That reserve fund for contingencies would take the place of the reserve fund the companies themselves have formed to meet any unforseen expenditure during any half year. Of course we know from common experience, taking last winter for instance; the frost then played great havoc with some of the mains of some of the companies, and their expenditure on repairs and renewals was very much larger than the average, and very much larger than could be possibly foreseen by the most prudent engineer; and in such a case as that the reserve fund would be very much more valuable than having to raise fresh stock or postpone the payment of interest, or having to increase the water rates to make up the deficiency.

175. When you have paid what I may call all your normal forms of expenditure, you then provide that you shall apply the revenue derived from the water rates to the equalisation of water rents and all charges incidental thereto, to the improvement of the existing system of water supply and distribution, and to the reduction of the charges for water itself?—That is so. And following the precedent of other corporations, we anticipate that in the course of time, as the sinking fund begins to bear fruit, the reduction in water rents will be something considerable, arising from the reduction of working expenses, and also from the unearned increment arising from the periodical re-valuation of property, and also the development of the district, which of course will enable the distribution of water to be carried out on more economical terms than at present. For instance, you may have to carry a main a mile, and only draw off a very little water. It stands to reason, that if you fill up the intervening gap with houses, each of them taking a remunerative supply of water, the interest borne by the capital represented by that distributing main is very much greater than it was when it was originally laid down. Those three reasons would probably lead to a reduction of water rent as the sinking fund took effect.

Sir *Algernon Bothwick.*] Would you explain what is meant by "the equalisation of water rents"?

Mr *Rickards.*

176. Yes. (To the *Witness*).] Just explain that.—The equalisation of water rents is the removal of the anomalies to which I have already called attention, that is, the adoption of such a scale that a house of 50 *l.*, whether in Lambeth or in Piccadilly will pay the same amount, and not, as at the present time, in the case of the New River the sum of 2 *l.* 4 *s.* a year, and in the case of the Lambeth Company, 3 *l.* 17 *s.* a year, that is to

Mr. *Rickards*—continued.

to say, in any part of the water area where the same thing is supplied the same price shall be charged.

177. You do not in all cases mean that there will be an absolute equality of charge everywhere where the supply is?—Certainly not; the question of high level must be taken into account; but I say where the same thing is supplied the same charge shall be made.

178. Under the same conditions?—Under the same conditions.

179. Then Clause 29 is as to the audit of accounts?—Yes. That is taken bodily from the Local Government Act practically; at any rate, it is framed very largely upon that.

180. Now a few words about the constitution of the Water Trust. Just explain very briefly, without going over the ground I have already gone upon, the principle upon which you have constituted the Water Trust, and the mode of election of members?—The Trust was framed on an elective basis, principally because it was believed to be more in accord with the drift of public opinion than the principle of indirect election. That is the real reason. Speaking for myself only, I do not see any practical objection to an indirectly elected water authority to a body for instance nominated by the various local sanitary authorities, such as the vestries, the district boards in the metropolis, and the urban sanitary authorities outside, any combination of those or any already constituted authorities.

Mr. *Lawson.*

181. That would be like the old Metropolitan Board of Works?—Exactly. And having that in view the committee thought the elective basis, being the basis for the county council generally throughout London and the country, would probably prove more acceptable to Parliament than an indirectly representative body.

Mr. *Rickards.*

182. That applies, of course, to representation of the outside areas; areas outside the metropolis?—Yes; but upon the principle of the Metropolitan Board of Works. It would be like the Metropolitan Board of Works over the whole water area instead of being confined to the county of London. Of course, the question of direct election I do not think is a vital principle of the Bill, any more than the particular mode of constituting the arbitration authority. It is proposed that the Trust shall consist of 39 members, one of which should be elected by the City of London as an independent and distinct electoral area, and, speaking generally, one by each group of Parliamentary divisions in London or county council areas (it is the same thing outside London), with power to the Local Government Board to group these electoral areas, and to constitute any single electoral area as an electoral area for the water supply; as, for instance, the City of London. The Local Government Board might like to constitute the borough of West Ham as an independent electoral authority.

183. That has a very large population, has not it?—It has a large population, and in some respects its interests are rather distinct from the rest of the metropolis.

Mr. *Rickards*—continued.

184. What is the population?—The population is about 120,000.

185. And it is because of those considerations that you have varied the original proposition of the Bill to take groups of two to provide that each electoral area shall comprise such one or more Parliamentary divisions, as the Local Government Board might determine?—Yes; the intention was speaking generally, that two Parliamentary electoral areas should be grouped together to form one electoral area for the water authority; but it would be competent to reserve power to the Local Government Board to depart from that, and not to adhere to it rigidly in exceptional cases.

186. Now taking you back to the 30th Clause again, you propose to have three paid members; a chairman, a vice-chairman of works, and a vice-chairman of finance?—Yes.

187. With those exceptions the members are not to be paid?—The 36 members would not be paid, the three members would.

188. The idea of combining different districts into one electoral area is contained in the Metropolis Management Act of 1855, among other Acts, is it not?—Oh, yes, for electoral purposes.

189. Then the idea of taking the portions of Parliamentary divisions is to a certain extent the principle of the divided parishes, under the Divided Parishes Poor Law Amendment Act of 1876, is it not?—Yes, and under the main Act of 1879, and under the Registration Act of 1885. The machinery is already provided by those Acts.

190. Speaking of the Registration Act of 1885, that provides the machinery for a separate register being kept, does it not?—Yes. The principle is this: That where a parish is partly situate within a borough or Parliamentary division of a county, the overseers are to divide the register into two parts, one relating to the part inside the municipal or Parliamentary area, and the other relating to the part of the parish outside; and of course the same principle is applied here. I am not aware of any difficulty in working that. It applies to the whole country, and therefore I cannot see that there would be any special difficulty in applying it to the metropolitan water area.

191. Then you propose that the electors of the first members of the Water Trust should be the county electors, in accordance with the provisions of the Local Government Act of 1888?—Yes; the county electors are chosen because they are the most recently created body of electors for one reason; and also because it is the most extended franchise for which a proper register is prepared.

192. So that you would not have to form a fresh register of electors?—No.

193. You would be able to avail yourself of the existing register of county electors?—The existing register of county electors will be taken.

194. You have provided, at the bottom of page 17, for some members, both within and without the

Mr. *Rickards*—continued.

the metropolitan area, being electors of your trust?—Yes, that is so.

195. Then, as regard the time when the Water Trust will come into office, you have considered that February 1892, on such day as the Local Government Board shall appoint, shall be the day upon which the first election of member shall take place?—Yes; that is because the county council, by a later clause, have power within two months from their election on 1st November, to decide whether or not they will take over the water supply. If they elect to do so, of course the election of the Water Trust will be uncalled for and unnecessary. Therefore the first election is put at some day in February in order to allow time for the county council first of all to exercise their option; and secondly, for the Local Government Board to make arrangements for the holding of the election in February.

196. Then you have provided machinery for the first meeting. The first meeting will be summoned by the Local Government Board itself, who will also give notice of the day of election?—Yes.

197. And at that first meeting the members present will choose from among their own number the chairman of the meeting, and will then proceed to elect the permanent chairman and two vice-chairmen?—Yes, not necessarily at the first meeting, but either the first meeting or an adjournment.

198. And then the meetings will be subsequently held, as the chairman of the Trust may appoint in the usual way?—Yes.

199. And in what is now the sixth schedule you have provided a complete code of rules for the carrying on and conduct of business by the Water Trust?—Yes, following, not exactly the same words, but very much the principle of the Municipal Corporation Act of 1882, which applies to all municipal corporations throughout the kingdom.

200. Now as to the period during which the members of the Water Trust will hold office. They are to hold office for three years in the same way that the members of the London county council do?—Yes, and after the first election are to be elected on the same day as the county council are elected, in order to save trouble to the electors and the expense and the cost of electing.

201. The first members are to come into office on some day not later than the 1st March 1892, according to the date to be fixed by the Local Government Board; and they are to continue in office until the first day of November 1894?—Yes.

202. They will therefore not have quite three years in office; but do you think it is advisable that in cases of future elections the members shall be elected on the same day, the 1st November, in every third successive year?—Yes; the period of office for the first Water Trust is following exactly the precedent set by the Local Government Act. If you take the London county council, for instance, they were elected in January 1889, and they will cease to hold office under the existing law in November next; so

Mr. *Rickards*—continued.

their first term of office will be slightly less than three years. It will obviously be an advantage to have the election on the same day as that of the county council, for the two reasons that I have stated, it will save the trouble of an independent election altogether, and also save the expense of a separate election and a separate staff.

203. And the elections themselves are to be carried out in the same manner and subject to the same rules as the elections of county councillors under the Local Government Act of 1888, but subject in every case to such modifications as the Local Government Board may from time to time deem it expedient to make?—Yes, that is simply to make it operative. For instance, the grouping is one thing as to which the Local Government Board must necessarily make rules.

204. Then you provide that the costs of the elections, that is, personal expenses of candidates, are to be defrayed by the Water Trust?—The same as the Local Government Act of 1888.

205. And that members of the Trust shall be eligible for re-election?—Yes, that is a very common provision, universal in fact.

206. Then you provide for the filling up of casual vacancies?—Yes.

207. Then Clause 32 of the Bill provides for the meetings of the Water Trust?—Yes. That is framed very much on the Municipal Coporations Act, the chairman taking the place of the mayor as convenor of the meeting.

208. And I believe the Bill contains a provision that the chairman of the Water Trust going out of office shall himself remain in office until the election and acceptance of office of his successor?—That is so.

209. That is for the purposes of convenience again?—It is.

210. That again is following the precedent of the Municipal Corporations Act?—Yes; the outgoing mayor remains mayor until his successor has assumed office. The same plan is proposed to be followed here merely for convenience.

211. Then Clause 33 provides for the disqualification of members of the Water Trust?—Yes. That is also very common; practically it is a repetition of the powers of many Acts of Parliament relating to public bodies, including, I think, the Local Government Act itself; but I am not quite sure.

Mr. *Lawson.*

212. They are the same disabilities as in the Municipal Corporations Act, are they not?—Practically.

Mr. *Rickards.*

213. Then Clause 34 of the Bill gives power to the Water Trust to form committees and to delegate any powers it may see fit to those committees?—Subject to regulations.

214. Subject to regulations that may be imposed upon them by the Water Trust as a whole?—And subject also to the provision that they shall not have any power of raising money either by rate or loan, so that the Water Trust shall, so to speak, hold the purse strings.

215. I think with that exception the remainder

Mr. *Rickards*—continued.

of Clause 34 to very usual?—Yes. That is practically the law of the land under the Public Healths Act. I am not quite sure whether there are any variations from that, but there are none of importance.

216. Now we come to the question of officers and servants. You have first of all provided under Part IV., Section 35, that the Water Trust may appoint its own officers, a secretary, treasurer, engineer and such other officers and servants as they may require, and award them their salaries; and then you have provided for the superannuation of officers?—Yes.

Mr. *Balfour Browne.*] May I say that my learned friend Mr. Rickards went through these clauses with you twice exceedingly carefully. I do not want to preclude him from giving evidence, but I think merely to go over them with his witness does seem a little like wasting your time and ours.

Chairman.] Except for the purpose of taking explanations from the witness it is not necessary.

Mr. *Balfour Browne.*] Of course if any explanation is necessary, it is quite right; but this gentleman is only doing what Mr. Rickards did.

Mr. *Rickards.*] This gentleman is the gentleman responsible for the form the Bill; I mean to say as the honorary seeretary of the executive committee, and I think if I go into these questiogs at some little length with him (not longer than I can help) it will save going into them with other people.

Chairman.] It is no use taking him merely through the statements in the Bill unless you wish to give some explanation of them; otherwise it is taking up more time than is necessary.

Mr. *Rickards.*] Very well, Sir.

Mr. *Lawson.*] We have had the whole of it before.

Mr. *Rickards* (to the *Witness*).] Then you provide in the case of the abolition of the officers and servants of the existing companies that they shall be entitled to compensation?—Certainly.

Chairman.] That is not asking for an explanation.

Mr. *Rickards.*] I will ask him the terms on which the compensation is based.

Chairman.] It may be useful if you ask him for reasons or explanations which justify the statements in the Bill, but not otherwise.

Mr. *Rickards.*

217. (To the *Witness.*) Will you tell me please the scale you propose to pay?—We propose to follow the Civil Service scale in the Superannuation Act of 1859. Of course the reason of the superannuation is obvious, in the interest, rather, I think, of the Water Trust itself than of the officers, because it affords a convenient way of getting rid of gentlemen who have spent their lives in the service of the Water Trust without turning them adrift without any consideration at all. Speaking as an officer of a public board, perhaps my view may be slightly prejudiced; but I have always thought that it is a valuable power that any public board should possess, to get rid of an officer who is worn out practically in a graceful manner.

218. Then you have adopted the provisions of the Superannuation Act, which provide for a salary after 10 years' (minimum) service?—Yes, it is practically the Superanuuation Act of the Crown.

219. And a maximum superannuation allowance of four-sixths of his salary?—Yes.

Mr. *Lawson.*] That has been somewhat amended, I think?

Mr. *Rickards.*] Yes.

Mr. *Lawson.*] But the amendments are not down here?

Mr. *Rickards.*

220. (To the *Witness.*) Now will you give the Committee shortly reasons why you provide for the appointment of consultative members?—This is only an enabling clause; it is provided in case any question should arise when the question of amalgamating the undertakings comes on, the trust may possibly require the assistance of gentlemen who are experienced in the past working of the undertakings; and therefore it was thought expedient that they should have power to appoint consultative members, without any power of voting, but simply to advise on engineering and administrative questions. The consultative members are not to be appointed for longer than three years, and they are only to be appointed during the first three years. They will serve a purely temporary purpose as I say, during the transitional period of amalgamating the undertakings. Of course I need scarcely say that an engineer coming quite fresh to the work would be at a disadvantage compared with engineers who have practically assisted in the formation and building up of the system.

221. Therefore, it would be to the interest of the Water Trust to reappoint those gentlemen to office?—Yes, certainly, to have power to appoint, but they need not necessarily exercise it; and I think the consultative members would be equally valuable whether the county council or the Water Trust themselves were constituted the water authority.

222. Then passing to Part VI. of the Bill, will you shortly tell the Committee why that was originally put into the Bill itself?—The intention of the committee was that the question of the county council for the whole area should be raised before the Select Committee to which it was expected the Bill would be referred, in order that the Select Committee might hear evidence on both sides and themselves fix the Trust which they would consider best after hearing evidence. The promoters of the Bill, I may say, are somewhat at a disadvantage, because the London county council are opposing the vital principle of the Bill, namely, the transfer of the undertakings of the water companies, and I am uot quite sure what our position is in the matter, because, of course, the promoters cannot force upon

Mr. *Rickards*—continued.

upon the London county council a duty which they are unwilling to take over. The petition of the London county council therefore has placed this portion of the Bill in rather a different position to what was originally intended.

223. And rather a different position to what it is as a Water Trust Bill?—Yes. You see the London county council object to being compelled to take over the undertakings; whereas that is the vital principle of the Bill.

224. I do not know of anything more that I need ask you; but I think after what you have said, and the explanations you have given, you can, on behalf of the executive committee of the vestries?—Before you pass on, there is just one point on that Clause 54, which I should like to mention. I should like to say that another reason why the London county council was inserted, was in order to avoid a postponement of the matter till another year. Supposing the Committee should say that the London county council being the properly constituted representative body for the central area, at any rate, of the water area should undertake this duty, the executive committee wanted to be prepared to say: There is the Bill; we have already framed it for you; the county council simply have to step into the shoes of the Water Trust. By putting in that clause we thought we might possibly save a year's delay. Then the months of November and December are given to the London county council to elect whether they will take over the water supply or not, on this ground, that the electors, who of course are the persons primarily concerned, have not yet had an opportunity of expressing their views upon the subject. If this Bill or any Bill were to pass giving the London county council the option whether to exercise the power of water supply or not, it is manifest that it would form a test question at many elections; and so the newly elected council would be much more fitted in many respects than what I may describe, without any disrespect, as a moribund body, would be; they would be in a better position altogether to decide upon this question. Therefore the months of November and December are named in the Bill as being the time when the county council should be newly elected, with, so to speak, a mandate from the electors on this particular point.

225. But as representing the outside areas as as well as the metropolis itself, do you think that the proposal that this Bill should be carried into execution by a Water Trust to be constituted by it is a more complete measure?—I think both from the inside of London and from the outside of London the county council is not the proper body. Speaking as a ratepayer of London, I should rather object to the London county council pledging the rateable value of the county of London to supplying water for all time through an area four times its extent, and that area bearing none of the capital burden. That would be the first ground, from inside London. I object to take upon my shoulders a burden which should be borne by the people say at Watford and Hertford and other places; not Hertford, because Hertford is outside the area, but other places in the water supply area; and in the second place, if I were a ratepayer outside London I should have very much greater confidence in a Trust upon which I was directly represented.

Mr. *Rickards*—continued.

Mr. *Lawson.*

226. Watford is outside?—Watford is outside.

227. You gave Watford and Hertford?—I mean the area outside.

Mr. *Rickards.*] Portions of Watford and Hertford I think are both in the area of the metropolitan water supply.

Witness.] Take Hornsey and Hendon.

Mr. *Lawson.*] That is farer.

Witness.] If I were a water consumer in Hornsey or Hendon I should have very much greater confidence in a body upon which I was directly represented than in a body on which I had no direct representation and whose interest might possibly be antagonistic to mine. Therefore I think if I were resident outside the county of London, I should prefer to be represented upon the water authority rather than to leave it to another body such as the county council.

Mr. *Rickards.*

228. And as a reesident in London you think that the rates of the whole metropolitan water area ought to be chargeable?—Certainly; ought to be pledged.

229. Instead of the rates of the metropolis only?—Certainly, and not a fourth only.

230. In fact you think that the Trust on the body which it is to represent the whole area should be liable?—Certainly.

231. In the preparation of this Bill and the consideration your vestries have given it both in principle and in detail have you gone most exhaustively into the subject?—I have necessarily had to consider all the literature (the public literature, at any rate), and a good deal of the private literature relating to the water supply of London, for a good many years.

232. And is the Bill the outcome of a most careful and prolonged consideration?—Yes, after a very exhaustive consideration of all the documents I have been able to get, including such documents as Professor Prestwich's Reports, Sir Robert Rawlinson's Reports, and so on.

Cross-examined by Mr. *Balfour Browne.*

233. Just a few questions for the Thames Conservancy and for the Hertfordshire county council. First of all with regard to Part VI. of the Bill: "Power for the London county council to carry the Act into execution"; is that to be withdrawn?—That rests with the Select Committee; it is before the Committee, and depends upon the attitude of the county council and the Committee. We leave it entirely in the hands of the Committee.

234. In the hands of this Committee?—Yes.

235. I understand you cannot say definitely yet whether that Part VI. is to be in the Bill or is not to be in the Bill?—I cannot say yet whether

Mr. *Rickards*—continued.

whether the Preamble of the Bill is proved; it rests entirely with the Select Committee.

236. By "the Select Committee" do you mean this Committee?—I mean this Committee.

237. I want to know what you are asking this Committee to do; what are you asking them to do, to leave that in the Bill or to leave it out?—To exercise their own discretion after having heard my views, and after hearing the views of the county council.

238. Is it your view that it should remain in?—I think I have already said that, having regard to the attitude of the London county council, I do not see how we can possibly support its retention.

239. Then it is out.

Mr. *Rickards.*] It is not out.

Witness.] It is not out.

Mr. *Balfour Browne.*

240. Now I will go to something else. Your scheme, as I understand it, is still to go on taking water from a point of intake upon the river Thames?—Yes.

241. I daresay you know that the Thames Conservancy have got very important duties with regard to the purity of water in the Thames?—Yes.

242. As well as in reference to the navigation?—Yes.

243. And I daresay you know that at the present time they have a payment amounting to something like 18,000*l.* a-year from the water-works companies?—Yes, I know that.

244. In respect of the discharge of those duties with reference to purity?—Yes.

245. If you continue to take water from the present source it will still be very necessary to have the purity of the Thames looked to?—Certainly.

246. And as I understand my learned friend, Mr. Rickard's, opening with regard to the income, he was speaking of the income of the Thames Conservancy when he said, "We should have to pay them exactly the same sum as they at present receive from the water companies for the water we take"?—Yes.

247. That is your intention?—Certainly.

248. And if there are any words required in the Bill to make that perfectly clear you are willing to insert them?—I think I may save you trouble by saying at once that the intention is to put in a clause protecting both the Thames and the Lea Conservancies; that the water authorities shall stand in relation to the Thames and the Lea Conservancies in exactly the same relation that the water companies do now.

249. That is to say, that you are prepared to pay that 18,000*l.* a year, or whatever the sum is in respect of the continued discharge of those duties with reference to purity?

Mr. *Rickards.*] If we take the water.

Witness.] Whatever the precise payment may be.

Mr. *Balfour Browne.*

250. My learned friend says, "If you continue to take the water"; is it your intention at any time to abandon the Thames as a source of supply?—Not as at present advised; certainly not.

Mr. *Balfour Browne*—continued.

251. Therefore you do intend to continue to take the water from the Thames?—Yes, supplemented by the two companies that have been mentioned.

252. I am coming to the supplementing immediately. You are also to be bound not to take more from the Thames than the companies at present have the liberty of taking?—Quite so.

253. That you are prepared to adhere to?—We shall stand in exactly the same position as the companies.

254. Now, with regard to the supplementing. The River Mole is one which runs through Leatherhead into the Thames, is it not?—Yes.

255. I dare say you know that the waters of the River Mole are important to the Thames Conservancy from a navigation point of view?—No doubt.

256. The river which runs through Rickmansworth, the River Colne, falls into the Thames above the intakes of the water companies, does it not?—Yes.

257. Therefore, the water running from that stream is not unimportant even from the point of view of the water consumer?—We do not propose to take a drop of water from the Colne.

258. You think not?—Of course that is an engineering question.

259. I am quite aware of that. I will reserve questions of engineering; but supposing that by taking underground water from the valley of Rickmansworth, or from the Leatherhead district, you affect the River Colne or the River Mole, that might be a serious matter to the Thames Conservancy, might it not?—It might be; but we are advised that we shall not interfere with the water of the Colne or the navigation itself.

260. That points to a different theory to that which my learned friend Mr. Rickards opened when he opened this Bill?—Our engineer will be able to satisfy you, I think, about that.

261. I do not think he will be able to satisfy me, but he will try. First of all, I am not appearing just now for one of the wealthy corporations, and I am not imputing any view to you; but just let me ask you this: who is the real promoter of this Bill?—Well, as I have said, two or three-and-twenty vestries.

262. Two or three-and-twenty vestries; are the vestries finding the money?—Yes.

263. They are?—They are.

264. The other vestries standing out and being neutral?—We have received subscriptions altogether, of varying amounts, from 23 vestries.

265. And you are practically the head and front of the offending, and managing the whole thing?—Yes, if there is any offence.

266. We will see about the offence immediately, when the preamble is dealt with?—My position in the matter is this: When the St. James's Vestry took up the question, I happened to be the vestry clerk of St. James's; a conference was held at the St. James's Vestry Hall, and at the request of the Parliamentary Committee

Mr. *Balfour Browne*—continued.

committee of the vestry, I acted as clerk to that first conference, and when the executive committee were appointed they requested me to continue my labours as honorary secretary, which I consented to do.

267. Apparently you have come to the conclusion that the supply of water to London requires to be supplemented?—I do not think it requires to be supplemented this year, but I think the supplementing of the supply is an advantage.

268. It is not necessary then to have Rickmansworth and Leatherhead?—It is a decided advantage. I do not know that it is an absolute necessity.

269. Would you mind telling me upon what ground you came to the conclusion that those water companies should be taken into the metropolitan area for water supply?—For the reasons I think I stated, we have got deep well waters from the Kent Company in the east; and we shall get deep well waters from the chalk in the west; so that we shall have a supply of chalk water on both sides of London.

270. Then is it your idea that the river water should be to some extent given up?—No, not at all.

271. Then why do you want more deep well water?—Because the population of London is increasing at the rate of 120,000 a year.

272. Then is it for the future wants of London?—It is for the immediate future wants.

273. In any one committee's report that has been made upon the water supply of London, has any one of them ever thought of including more than the eight companies?—In the water supply area do you mean?

274. Yes?—No I do not think so.

275. None? You have made that new departure?—Yes, for economical reasons.

276. First of all upon whose advice did you make that departure?—Upon the consideration of various documents and upon the advice of the engineer, Mr. Grover.

277. Is Mr. Grover coming to give evidence?—Certainly.

278. Is Mr. Grover the engineer for the Rickmansworth Waterworks Company?—I believe he is.

279. Does he happen also to be the engineer of the Leatherhead Waterworks Company?—I am not aware.

280. Do you know who is?—No, I do not.

281. Then it was upon Mr. Grover's advice, who happens to be connected with one company at any rate, and possibly with the other, that you thought to extend the water supply area so as to include these two out districts?—Not altogether.

282. Who else advised you?—That is as I say the drift of opinion generally. If you take Sir Robert Rawlinson's evidence before the Duke of Richmond's Commission, and Mr. Smith's evidence before Sir William Harcourt's Committee, and that of others, you will find they all speak of the desirability of supplementing the supply from the Thames by the addition of water from the chalk.

283. From the chalk?—Yes.

284. Are you quite certain that the Duke of Richmond's Commission did not recommend, on

Mr. *Balfour Browne*—continued.

the contrary, that no more water should be taken from the chalk?—From the chalk or green sands. I am not a geologist.

285. Then was it upon Mr. Grover's advice, because we can refer to the Duke of Richmond's Commission?

Mr. *Lawson.*] I think you should quote the words. I think you are not quite accurate.

Mr. *Rickards.*] I will refer to the words: "That the River Thames, supplemented if necessary by works for storing the flood waters together with the River Lee, and the water obtainable from the chalk to the south and south-east of London, as well probably as from the lower green sand," as to which I am going to give you evidence, "will furnish a supply sufficient for any probable increase of the metropolitan population. That the abundance permanence and regularity of supply, so important to a large metropolis, are secured much more efficiently by the great extent and varied geological character of a large hydrographical basin, such as that of the Thames, than by the necessarily very much more limited collecting areas than can be made, available on the gravitation system. In the former case also the supply streams are self-maintaining, while in the latter the channel must be subject to the accidents incident to its artificial construction."

Mr. *Balfour Browne.*

286. Just let me take you to paragraph 146, "We do not agree with those who expect to get an almost unlimited increase of quantity of water by simply tapping the natural reservoirs in the chalk."

Witness.] That is our position.

287. Quite so, "For the supply to them must obviously be limited by the amount of rainfall"?—That is our position.

288. "Moreover, as the water which penetrates into the reservoirs raising the water line more or less above the level of the adjoining valleys, ultimately in greater part finds its way by springs into streams at the lower level of the district, any water drawn from the store by artificial means, will most probably be at the expense of those streams."

Mr. *Rickards.*] Where are you reading, from what page?

Mr. *Balfour Browne.*] Page 58, paragraph 146. You say that you have founded your action partly upon this report, and this is what my friend left out.

Mr. *Rickards.*] Will you kindly read, while you are about it, paragraph 147, Mr. Browne?

Mr. *Balfour Browne.*] No, not while I am about this. I am going to read something else.

Mr. *Rickards.*] I shall have to read it myself.

Mr. *Balfour Browne.*

289. Certainly. "We are of opinion: that the River Thames, supplemented if necessary by works for storing the flood waters." Are you proposing anywhere works for storing flood waters?—Yes.

Mr. *Balfour Browne*—continued.

290. Where?— We propose it under our Clause 6.

291. Where are they; where are the works?—The sixth Clause deals with that.

Mr. *Rickards.*] The succeeding paragraph to the one my learned friend has read is very important indeed.

Mr. *Balfour Browne.*

292. I am taking the paragraph that you have been reading as the foundation of your scheme; and I want to find out whether you have acted upon the Duke of Richmond's Report or not?—Not exclusively.

293. You have not?—No, not exclusively.

294. I follow you that to some extent you have acted on Mr. Grover's advice; but you also referred me to the Duke of Richmond's Report?—We have acted partially on that, and we have acted partially on the later opinion of Sir William Harcourt's Committee.

295. We will get the later information later on; in the meantime, are there in this scheme any works for storing flood waters?—I think the 6th Clause would cover that.

296. The 6th Clause is to the effect that "The Water Trust shall carry into effect the purposes of this Act by the acquisition of the undertakings of the scheduled companies in consideration of such compensation ,and generally on such terms and conditions as shall be agreed, or, failing agreement, shall be settled by the board of arbitration by this Act constituted (in this Act referred to as the Board of Arbitration) and may, so far as they deem it expedient, from time to time enlarge and improve existing waterworks, construct new waterworks." Is it under that you think you have got it?—If a storage reservoir is not a new work I do not know what it is.

297. Would you mind answering that question directly; is it that you are relying upon?—It is; yes.

298. Did not you hear Mr. Rickards state distinctly that any new works necessary would have to be sanctioned by a Bill?—Certainly; so they will.

Mr. *Rickards.*] And I met that by saying, where compulsory power was taken over property.

Mr. *Balfour Browne.*] Quite so.

299. Do you think under this you could store the flood waters of any portion of the Thames Valley without coming for a Bill in Parliament?

Witness.] No, I do not; therefore we have put in the 11th Clause of the Bill.

300. Therefore you are not in this Bill carrying out the proposal of the Duke of Richmond's Committee, but you may under some Bill in the future?—We are carrying it out to some extent.

301. You are not proposing under this Bill to make any works for storing flood waters?—We are going further than Sir William Harcourt's Committee recommended, but not quite so far as the Duke of Richmond's Commission; we have struck the mean.

302. We will follow it on: "together with the River Lee"; are you proposing to get any more water from the River Lee?—I do not think there is any more to take.

303. Therefore you are not doing that. "And the water obtainable from the chalk to the south and south east of London": is Leatherhead or Rickmansworth either of them, south or south east of London?—That is merely a general statement.

304. Would you mind answering my question?—That is a geological question.

305. Neither of those places would come within that description would they?—Leatherhead is to the south of London certainly.

306. Leatherhead is south of London. Is it not due south-west?—"South-west" is a point of south.

307. Is it?—Yes.

308. Only, seeing that they point out the points "south and south-east," south-west does not seem to include it. "As well probably as from the lower green sand will furnish a supply sufficient for any probable increase of the metropolitan population"?—Before you pass from the Duke of Richmond's Commission, I think you ought to remember that the Duke of Richmond's Commission had a very large scheme to consider, and the recommendations there were in opposition to the proposal to bring water from Wales.

309. Not exactly in opposition; they do negative that?—They negatived it, because it was unnecessary on account of cost.

310. Have you never heard the proposal that if water is taken at the points of intake large reservoirs should be constructed upon the upper streams of the Thames, so as to supply the place of that taken away?—I am not an engineer.

311. I did not know that an engineer was the only person who was gifted with ears. Have you not heard that that scheme has been proposed over and over again?—I do not understand the question.

312. Have you never heard that it was proposed to supplement the supply of water by constructing storage reservoirs in the valley of the Thames?—Certainly.

313. You have?—Oh, yes; and there is nothing in our Bill which will prevent that.

314. With regard to the Rickmansworth scheme, do you know when the Rickmansworth Company was started?—It is a recent company.

315. Started, I believe, in 1884, for the supply of the parish of Rickmansworth?—It is a small company, with a small capital, and a large surplus of water. That is the position; and we think it would be advantageous to acquire it.

316. It takes its water by pumping from the chalk, does it not?—The Rickmansworth Company appears to have been formed in the year 1887 or 1888, or commenced work, I ought to say.

317. The capital was 24,000 *l.*, was it not?—Its paid-up capital now is 53,289 *l.*, that is, on the 31st December last. On the 22nd January 1891, a final call of 1 *l.* per share increased the called-up capital (I assume it was all paid up) by 5,921 *l.*; making a total of 59,210 *l.*

318. Is

Mr. *Balfour Browne*—continued.

318. Is the company paying a dividend?—The company is not paying a dividend.

Mr. *Rickards.*] Perhaps you would ask him if it is proposed in the Bill——

Mr. *Balfour Browne.*

319. I will ask the questions that suggest themselves to my minds, not to Counsel for the promoters. (To the *Witness.*) If this is added to the metropolitan area, is there any tract of country lying between the Rickmansworth district and the metropolis?—If there were not we should not require way-leaves.

320. Would you mind answering my question, it is so; is it not?—Certainly.

321. Therefore the metropolitan area will consist of what is at present supplied by the eight companies, and this outlying portion at Rickmansworth?—Separated by a distance of about half-a-mile.

322. Half-a-mile?—Yes, at the nearest point.

323. Will you show me that on the may?

Mr. *Rickards.*] Here is a map.

Mr. *Balfour Browne.*

324. This edged in green shows the area of the Rickmansworth company?—Apparently.

325. And when you told me it was separated by a gap of half-a-mile, you referred to *that* point?—That is it.

326. At every other point the distance between the metropolitan area (which is shown in brown) and the green is considerably more than half-a-mile?—I believe the distance for which we require way-leaves is eleven miles.

326. Eleven miles through other districts?—Through other districts.

328. I do not think *this* area is the Leatherhead district, is it?—No, the Leatherhead district adjoins the Lambeth district. Part of the intervening district that we require way-leaves along is supplied by the Uxbridge Local Board; consequently they will not require——

329. Is there also the Colne Valley Water Company supplying in that area, edged yellow?—Yes.

330. Why have you not added that as part of the metropolitan area?—Because we think we shall get all we want on better terms from the Rickmansworth Company.

331. How do you mean, why better terms?—The Colne Valley is not a very prosperous concern, either in the one way or the other.

332. It is the non-prosperous concerns you want, is it not?—No, it is water we want.

333. This was not a prosperous concern. It has paid no dividend?—I beg your pardon; the shareholders are getting 5 per cent. interest from the contractors. The fact is, it is not a dividend-paying concern, because it is not out of the contractors' hands; that is the reason.

334. Therefore you want to buy the one which is paying a dividend, which you will have to pay dear for, instead of buying the one you would get cheap?—We do not want to buy up an undertaking, we want the water.

335. But you are going to buy up an undertaking?—The Colne Valley would not answer our purpose so well as the Rickmansworth.

Mr. *Balfour Browne*—continued.

336. You are proposing to buy the undertaking?—Because that is the cheapest way of getting the water.

337. Would it not be cheaper to buy the non-dividend paying company?—No.

338. Why?—Because the volume of water, as I understand, is not at all so large, and cannot be increased, because if you take it from the Colne Valley you diminish the supply to the neighbouring millowners.

339. What amount of water do you calculate upon getting from the Rickmansworth district?—The engineer would be a better witness upon that point.

340. I daresay; but you can tell me how much you expect to get?——

Mr. *Rickards.*] I think you ought to leave that to the engineer.

Witness.] Speaking roughly, 20,000,000 to 30,000,000 gallons a-day.

Mr. *Balfour Browne.*

341. Are you aware that Hertfordshire at the present time is in very great want of water for itself?—Hertfordshire is represented here.

342. I am quite aware that Hertfordshire is represented here. Are you aware of that fact? Have you never heard it?—I know that one of the objections made by the Hertfordshire county council is that we shall interfere with their natural source of supply; but we are advised by our engineer that we shall do nothing of the kind.

343. You think you can take 20,000,000 gallons of water a day from Hertfordshire without doing any injury to Hertfordshire?—Certainly.

344. That is your idea?—Yes. It is an engineering question; it is not one for me really.

345. You propose to go into the districts of various other authorities besides the vestries?—Yes.

346. Have you consulted one of those authorities with reference to your scheme?—Yes.

347. With whom?—All of them have had a copy of the memorandum upon our Bill.

348. A copy of the memorandum upon your Bill; but before you promoted your Bill you did not consult one of the local authorities?—Yes, we did.

349. Will you tell me which?—We invited them to a conference held, I think, last December.

350. Were they there?—No, not one of them came.

351. And that was all that you did with reference to them?—If they would not come forward, what could we do?

352. That is all that you did, invite them to a conference?—We invited them to consider the matter, and they would not. If they would not come forward, we could not do more.

353. That is all I propose to ask at present.

Cross-examined by Mr. *Freeman.*

354. Just a few questions on behalf of the London county council. (I might just mention, Sir, that I appear with my learned friends Mr. Moulton and Mr. Pember, jun., on behalf of the

Mr. *Freeman*—continued.

London county council). And you have told the committee this is a Bill introduced by the various vestries and local boards of the metropolis?—Yes.

355. And originating, as you told us, in a meeting which was called, I understand, of the St. James' Vestry, and to which 32 vestries and districts boards responded?—Yes. That was the first meeting.

356. Now just let me draw your attention, if you please, to the resolution which was passed at that meeting, and which is contained, I think, in a pamphlet which you have issued in explanation: "That in view of the fact that the effect of the quinquennial re-valuation of the metropolis now in progress will be to augment the charge to consumers for the same supply of water as is enjoyed by them at the present time, and thereby to increase by a very large sum the value of the property of the water companies, the Government be requested forthwith to introduce a Bill," (now listen) "to enable the London county council, or some other properly representative body, to acquire the undertakings of the eight water companies now supplying London, or some of them, by agreement, or failing agreement, to create a board of arbitrators to settle the terms of transfer by compulsory powers, or to give power to establish an independent supply." That was the resolution which received the adhesion of the 32 representatives at that meeting?—Yes.

357. Now just let me point out to you one or two matters on that resolution?—It is a very general resolution, of course.

358. In the first place it was considered that the London county council were, in the first instance, the proper body to undertake this question?—No. "The London county council or some other properly representative body."

359. Put the London county council first?—There was a wide difference of opinion at the conference as to whether the London county council should be the water authority or whether some other representative body should be; and we place both alternatives in the Bill in consequence.

360. You request the Government to introduce a Bill to enable the London county council or some other body to introduce a measure. Then, at the same time, you contemplated that what they were to introduce a measure for was for one of two things (or both, probably); the purchase of the eight companies or the introduction of an independent supply?—One or the other. Of course the two could not be taken concurrently.

361. Was that again a matter of difference of opinion at that meeting, whether the companies should be bought or an independent supply obtained?—Yes.

362. And his resolution was framed to meet and represent before the Government the views of the different sections of that meeting?—The resolution was purposely drawn as widely as possible to cover the whole ground.

363. Armed with the resolution, you told us that you interviewed Mr. Ritchie on behalf of the Government?—Yes.

Mr. *Freeman*—continued.

364. And his reply was that as inquiries were pending both by the Corporation and the county council, the matter had better be deferred for a little?—Yes.

365. You know that the inquiry which was undertaken by the Corporation was proceeding, I believe, at that very time?—It was.

366. An inquiry presided over by Sir Guyer Hunter?—Yes, I know, because I put this resolution in evidence at the inquiry, so I have the best reason for knowing.

377. That inquiry had lasted for a considerable time, and was still proceeding?—No, it had not lasted for a considerable time. I think I was there about the sixth day. Altogether the inquiry only extended over about 12 or 14 days.

368. So much for the Corporation. Now, as regards what you were told about the county council. You are aware, are you not, that in the last Session of Parliament a Bill was promoted by the county council for general powers, including a power to inquire into the whole question of water supply?—I have already said so.

362. And are you aware that when the clauses of that Bill became an Act of Parliament the words of it were wider than what you have quoted, and were these: "It shall be lawful for the council from time to time to prosecute and conduct inquiries and negotiations relative to the supply of water where companies supply water in or near the administrative county of London, and to pay out of the county fund the costs and expenses of such inquiry not exceeding 5,000*l.*?—Yes.

370. And you are aware that that clause was put in upon the representation of the county council to Parliament that at that time, not having powers to promote Bills without special legislation, it could not deal with the water question?—That does not give them power to promote Bills.

371. Do you know that that was the representation?—Yes; but that does not give the power.

372. We have the ability of reading the clause as well as you?—I am afraid of you putting words into my mouth which I object to use.

373. Are you aware that, being armed with those powers, the county council have themselves commenced inquiries with a view to dealing with the water question?—I know they have a water committee, but I have no knowledge of what is going on in the committees of the county council.

374. Let me follow it out a step further. Having received that answer from the President of the Local Government Board, you informed the vestries of it, and requested them themselves to take up the question?—No; the deputation requested me to call another meeting.

375. With the result that the 32 members who had been desirous that the Government should take the matter up, when it was proposed that they themselves should take it up, fell down to 23?—Yes.

376. And that since that period the 23 have still further diminished, so that, while 15 are for eight,

Mr. *Freeman*—continued.

eight are against and 15 are neutral?—Yes; that is, those who have expressed any opinion at all are nearly two to one in favour of the Bill.

377. That is to say, 15 out of 40 have expressed themselves in favour of the Bill, eight against, and 15 are neutral?—No; I prefer putting it in another way; 38 have considered the Bill; 15 have expressed an opinion in favour of it and eight against it; the other 15 have not taken it into consideration.

378. Can you just give me the names of the eight vestries who are against the Bill?—Yes; I think you have that, because I understand your agent has got the same information as we have. Those averse are Limehouse, which is not a very important body; the Strand, who disagree with the county council being the authority, but think that the authority should have an independent supply; the Lambeth Vestry, who were ardent supporters of the Common Council scheme; the Hackney districts, who differ from us on the question of independent supply. They refuse to buy up the water companies; the St. Saviour's district have given no reason; the St. Pancras Vestry disagree for the double reason that they think the London county council should be the authority, and that the London county council should not be bound to buy up the existing companies; the St. George's, Hanover-square, Vestry, on precisely the same ground; and the Greenwich District Board assign no reason except that they adverse to it. Neither in point of population nor of rateable value are they anything like compared to the 15 in favour.

Mr. *Lawson.*

379. St. Pancras declares itself in favour of one of the propositions of the Bill really, does it not?—Scarcely so.

Mr. *Freeman.*

380. I understood the witness that St. Pancras is strongly in favour of the county council carrying out the Bill?—I did not say "strongly": what I said was this; I think I have the letter here. The resolution is as follows: "That the vestry do record their opinion that the London Water Commission Bill and the Metropolis Water Supply Bill are unsatisfactory on the ground that the water supply ought, subject to proper restrictions, to be under the control of the London county council. Also that the council is the authority whom Parliament ought to empower to deal with such supply; and that the council ought to accept the responsibility of preparing and promoting in Parliament any Bill dealing with the question."

381. I want to ask you a few questions about the Bill itself as you have promoted it?—Not personally; I am not the personal promoter.

382. The first thing to be done under that Bill, whoever the authority may be to carry it out, is to serve notices on the eight companies, and within some period to purchase their undertakings?—To serve notices within some period; but to complete the purchase within an indefinite period.

383. But within some period to purchase the

Mr. *Freeman*—continued.

whole undertakings of the eight metropolitan water companies?—Within some indefinite period, yes.

384. Is it your idea that when once you have served your notices on these companies they will have no power of making you go on with the purchase?—Certainly. Of course as soon as the notice to treat is served they can compel us to go on.

385. Then I do not quite understand the use of the word "indefinite"?—I mean this: That until the notice to treat is served we shall be under no binding obligation. I cannot answer for what the Water Trust will do; but what I imagine they will do will be something like this: they will have competent advice as to the condition of the works, and so on, of the varions undertakings; they will carefully select, for the purposes of arbitration or agreement, one of those undertakings; they will have that case very carefully considered and argued before the board of arbitration; on that first case the general lines of the award will be laid down; the award will be made in due course, and if the affair is satisfactory they will go on with others.

386. Let me call your attention to your Bill. I am afraid you have forgotten it. Section 8 of your Bill says: "The Water Trust shall, within two years of the passing of this Act, by notice in writing under their common seal addressed and sent to the respective secretaries, or delivered at the principal offices of the scheduled companies respectively, require such companies to sell their undertakings, and every such company when so required shall sell their undertaking to the Water Trust."—Yes, "when so required."

387. Therefore, within two years you must serve a notice upon every one of them?—Yes.

338. Directly you have served the notice on them, the water companies can compel you to go on and purchase them?—Certainly.

389. Therefore I must again ask you what you mean by saying that within some "indefinite" period you can purchase the water companies?—The notice must be served under the Bill within two years, of course.

390. Let me point out to you again in Clause 12, "within three months," as it now stands (21 days, as it was in your original Bill), "the water companies are to give notice to the Trust," are they not?—Certainly, to send in their statement of claim, in fact.

391. Therefore, the moment they have sent that in, you are bound to go on and complete the purchase of them, or they can take steps?—Certainly.

392. Therefore the indefinite period you are dealing with might, if the water companies so desired, become very definite, namely, a few weeks after the service of the notice?—It would depend on the length of the arbitration. But supposing in the course of the first arbitration it became necessary to apply to Parliament to confer further powers on the arbitrators, you see two years would allow of an interval for any amended Bill, although that is not anticipated.

393. At any rate within two years after the moment you have served your notice, you are

Mr. *Freeman*—continued.

bound to go on and complete the purchase?—Certainly, as soon as notice is served.

394. And I presume the words of the section are to buy up the whole of the undertaking of each company?—Yes.

395. Including, in the case of the New River Company for instance, all that large landed estate which they possess?—Yes, if the matter goes to arbitration; but of course by agreement that might be excluded. Then we have also power to sell superfluous lands.

396. As your Bill is drawn, is the purchase of the eight companies a preliminary condition before you can be entitled to introduce any alternative supply?—Yes, because by purchasing the eight companies we secure a monopoly.

397. And that must be the first step under this Bill before introducing any question?—Certainly. It stands to reason that two competing systems must prove ruinous to both.

398. You have no doubt carefully considered the question of the resources of the companies, the adequacy of their supplies, and the sources of other supplies, and all those questions?—As far as it has been in published documents, I have.

399. Have you, except in the instance of Mr. Grover, whose name has been mentioned, received any independent engineering advice on any of these questions?—I do not think it is wanted

400. That is not the question. Have you?—Well, you may say we have not consulted any living authority. We have taken the report of Sir Francis Bolton's evidence given before Sir William Harcourt's Committee. We have seen and very carefully considered Sir Robert Rawlinson's evidence at various times, particularly the evidence he gave at the inquiry last year at the Guildhall, and other authorities of that sort.

401. When I asked you if you have consulted an engineer, I mean any living engineer who can be called before the Committee. You have not, except Mr. Grover; come; yes or no?—I do not know that I can quite say yes or no. I have not consulted any engineer except Mr. Grover.

402. Is any engineer except Mr. Grover coming here to support this Bill?—Not that I know of, except the water company's engineers; they will be here and will be able to give the best evidence as to the conditions and resources of the companies.

403. Having put those powers into the Bill, that the first step must be the purchase of the eight companies within the limited period, you then add part six to the Bill, which practically puts on the county council, if they are to be the water authority at all, the Bill in the shape in which it finally leaves the Committee?—Yes.

404. And puts upon them the necessity of determining, aye or no, whether they will carry that out within two months of a newly-elected body having been formed?—That is not quite the way I should put it.

405. Is it not the fact?—Not quite. I should say the principle of this Bill is to remit to the county electors the question: "Shall your county council take over the water supply, or shall it not?" That is the practical effect of the

Mr. *Freeman*—continued.

Bill the electors will decide at the next election for the county council. The county council will simply record the votes of the electors.

Mr. *Lawson*.

406. Next January. Whenever the time may be. Of course if the election is postponed, the Bill must be altered.

Mr. *Freeman*.

407. I take it from the evideuce you gave in chief, that in framing this Bill you mainly found it on the recommendations of Sir William Harcourt's Committee?—I think you may say mainly because those are the most recent.

408. I presume you put this Bill before the Committee as carrying out the suggesrions of that Report?—Generally.

409. Upon the first three paragraphs there is no dispute between us?—No.

410. Now take paragraph four: "That in the absence of any single municipal body to which these functions should be committed, a water authority of a representative character should be constituted," and so on?—Yes.

411. In your opinion does the county council at the present time represent a municipal authority for the metropolis or not?—Not for the metropolitan water area.

412. For the metropolis?—Not for the metropoitan water area.

413. For the metropolis?—Well, it depends on what you mean by the metropolis. You see there is no metropolis now.

414. That is new. Does it, in your opinion, represent for London what is generally understood as a municipal authority in relation to big towns?—Certainly.

415. Then you see at the time Sir William Harcourt's Report was made there was no directly elected body corresponding to the London county council, but only the metropolitan board with limited functions which represented the vestries?—I should say the London county council stand exactly in the same relation to the water supply as the metropolitan board did; the London county council have no further powers with regard to water supply beyond spending 5,000 *l.* in inquiries and negotiations, than the metropolitan board had.

416. Do you not know that one of the questions on which the creation of the county council practically turned was dealing with the water supply question?—No, I am not aware of that; that is news to me.

417. Did you, in framing this Bill, think it worth while to consult the county council at all?—I think I may say we have; for every communication which has been forwarded to the vestries has been forwarded to the county council in sufficient numbers to be circulated among their water committee. I have been in constant communication with Mr. Spencer, the clerk of that committee, from the beginning of negotiations until the Bill has been actually presented to Parliament; so I think I may say I have practically consulted them. At any rate I have kept them informed of every progressive stage and step we have taken.

418. Have

Mr. *Freeman*—continued.

418. Have you ever asked them to express their formal opinion whether they were willing to approve of this Bill or take it over, and with any and what modifications?—It was open to them to express any opinion.

419. Have you ever asked them?—I cannot say from memory. The correspondence has been very enormous, but they had a copy of everything, and knew what was going on.

420. As I understand, one of the main reasons why you say that a body like the county council would not be suitable for this duty is because there are certain outside areas, where the present water supply is not coterminous with the jurisdiction of the county council?—That standing alone, of course would be an objection. I was going to say the water supply of London differs from all the municipal boroughs outside London in this respect. In London you have an existing supply; in municipal boroughs you did not have, except in the case of Glasgow, I think. At any rate, it was a very rare thing. If you take the Manchester precedent, the outlying areas along the route have an option; they know what they are going to pay for their water before they enter into an agreement. But in London the whole metropolitan area is covered with a system of distribution, and if the county council buy up the existing water supply systems, what they will do will be this: they will compel the people in Surrey, or Kent, or Hertfordshire, and other districts outside the metropolis, to be parties to a bargain to purchase in which the purchasers outside the county of London will have no voice at all. There is that vast difference between the case of London and provincial boroughs such as Bradford, Manchester, Liverpool, and so on.

Mr. *Lawson.*

421. Not Birmingham?—Not Birmingham, I think, and not Glasgow, but speaking generally. Birmingham is a small area compared with London.

Mr. *Freeman.*

422. You are aware that in almost every case in the United Kingdom the corporation of a big town is the water authority, with the water authority extending over numerous independent districts all round it which it supplies mainly in bulk, sometimes in detail?—Yes, mainly in bulk. A supply in bulk would, I think, be impracticable in London.

423. And in very numerous cases actually supplied in detail in those districts with their consent?—With their consent. You will find, speaking from memory, at any rate, I do not recollect a single case in which local authorities have rating powers to make up any deficiency outside their own area.

424. Supposing the county council were created the authority for dealing with the water question, what would there be either to prevent the outside districts being supplied in bulk or purchasing the plant in their districts and supplying themselves?—I think it would be physically impossible to supply all places surrounding London in bulk; because the system of supply is so interlaced. It will pass through a dozen areas before it enters the metropolis, and when it enters the metropolis it will positively enter it at 50 or 60 or more different points. In the Thirlmere case you have simply one main at which you draw off at intervals and supply. The system is altogether different.

Mr. *Freeman*—continued.

425. Have you personally an experience of water in big centres?—Only from what I have read.

426. Do you represent that these outside bodies who will be affected by the water question, and whom you suggest should be represented on your Water Trust, are in favour of this Bill?—I do not know whether they are in favour of the Bill; about 20 of them have petitioned against it on the single ground that we propose to hand over the water supply to the county council. That they are opposing vehemently.

427. Do not you know that every of those outside authorities object to your Bill because they do not want to come in under the trust at all, but want independent supply?—I think not. The way I have read the petitions is that fully 20 of them object to the county council having an exclusive finger in the pie.

428. At any rate they are not supporting your Bill. What is the evidence which you have of a scientific nature which makes you say an independent supply would be a totally impossible matter to consider?—Common sense, I think.

429. Nothing more than your common sense, and the reports?—I think that is all that is required.

Mr. *Rickards.*

430. And the opinion of the Committee?—Of course the opinion of the Select Committee. That is what one of the Reports referred to. And I think this Committee expressed an opinion also that the difficulties of an independent supply were too obvious to need controverting. Consequently we have not dealt with that aspect of the case at all; although I am prepared to answer questions on that point.

Mr. *Freeman.*

431. Do I understand you to say, it is your opinion that Part VI. should still remain part of the Bill, and the county council take over this question?—No, I think not, because the county council, you see, are opposed to the principle of of the Bill; therefore I certainly fail to see how we can ask Parliament to confer on an unwilling body such extensive powers.

432. Then you think the whole question should be settled by this Bill, and that the county council should have no further voice in the matter?—No. The county council will always have the opportunity of appearing upon any Bills which this Trust may promote, and necessarily will have a very important voice.

433. I do not quite follow you; how do you mean, "have the opportunity of appearing"?—In opposition to anything this Trust may promote.

434. Are they represented on the Trust under your Bill?—Yes, I should say they are, because the

Mr. *Freeman*—continued.

the Trust will represent in the county of London precisely the same people the county council represents. As far as the county of London is concerned the Water Trust will be the exact counterpart of the county council; they will be elected by the same body of electors, on the same day, in the same polling-booths.

435. Then practically speaking they will be elected by the same body and at the same time be able to oppose every measure?—No. The electing body who elect the county council will be represented on the Trust.

Mr. *Pembroke Stephens.*] I appear for the reparian owners of lands and mills on three rivers which will be affected by the proposals in the Bill.

Mr. *Rickards.*] What are the names of the petitioners?

Mr. *Pembroke Stephens.*] The names are, I think, some 150 in number.

Mr. *Rickards.*] What is the title of the petition?

Mr. *Pembroke Stephens.*] The title of the petition is "The Petition of the Owners, Lessees, and Occupiers of Mills and other Property on the Rivers Hogsmill, Wandle, and Mole.

Cross-examined by Mr. *Pembroke Stephens.*

436. Do I understand that the acquisition of the Leatherhead Water Company is a vital part of the Bill, or one that may be dropped without inquiry to the rest?—I do not think it is a vital part of the Bill certainly, but I think it is most desirable to have the supplemental sources, although I do not think it is an essentially integral part of the Bill.

437. Then we may take it that the Leatherhead Water Company may be dropped out without any injury to the rest of the scheme?—I will not say without "any" injury, without any fatal injury.

438. It is not in any sense a metropolitan company now, is it?—No. The object of bringing in it of course is too supplement the existing metropolitan water companies.

439. You might supplement by anything, but there is no special reason in in the Leatherhead case, is there?—The special reason in the Leatherhead case is that it joins the Lambeth Company, and could be coupled up with the Lambeth system of distribution so easily. It is within a very short distance of one of the reservoirs of the Lambeth Company, as you will see by the map.

440. If you follow up all the boundaries, wherever you get a point touching, you might go down to the south coast. But if it was not a material element of the scheme, originally or now, how did it come into the Bill, who suggested it?—I really cannot say. It was suggested at one of the committee meetings, but by whom I cannot say.

441. Someone who suggested it said, let us put in the Leatherhead Water Company, and you put it in; it that it?—Speaking from memory. I think the question arose as to what engineer was to be retained to advise the committee. Mr. Grover was selected, and I believe it was upon his report that these two districts were added.

Mr. *Pembroke Stephens*—continued.

442. Then what you mean is this: A question arose as to who should be the engineer; settled in favour of Mr. Grover. Mr. Grover being the engineer to one of the two companies, settled that his company should come in. Was that the train of that?—Well, that was not the train of that which suggests itself to me.

443. But that was the train of that which was acted upon, apparently?—Well, I was not aware until quite recently that Mr. Grover was the engineer of the Rickmansworth Company, although I thought he was the man who planned and carried out the works.

444. Can you tell me what quantity of water the Leatherhead Company are raising and distributing now.

Mr. *Rickards.*] Mr. Grover had better answer that question.

Witness.] I do not know. All I know is Mr. Grover advised us we could probably get 10,000,000 gallons a day from the Leatherhead source.

Mr. *Pembroke Stephens.*

445. But you have no conception how that would compare with anything that is being raised now, have you?—Figures were mentioned, but I could not carry them in my head.

446. Ten millions gallons is what you expect from that source?—Yes.

447. That would be exclusively by pumping, I suppose?—I imagine so.

448. It must be so?—It must be so.

449. Do you know whether the rivers in that part of the district are fed mainly by springs?—Of course I know that the Mole is an underground river.

450. And comes up close to one of the mills, for the owner of which I am now speaking?—Yes.

451. In fact, almost at the mill. So that you propose to pump 10,000,000 gallons from the springs, practically?—That is if we can get it without detriment to existing interests. What we propose to do is this (I thought it had been made clear by counsel): to take exactly the same position as the Leatherhead Company. The Leatherhead Company, I understand, have power to sell surplus water which they do not require for the needs of their own district, and which can be sold without detriment to the local surroundings.

452. You see these would come in a point with regard to which you cannot speak; that is, as to the business the Leatherhead Company are actually doing?—That is an engineer's matter.

453. Do you know, as a matter of fact, that it is water of a very high class?—I believe so; that is the recommendation.

454. Do you know that the character of the property generally upon these three rivers which would be affected by the pumping operations is residential for the most part, and that a great many of them are of a very beautiful character?—Yes, and therefore not requiring so much water as a densely populated locality would require.

Mr. *Pembroke Stephens*—continued.

quire. I mean you have large residental houses surrounded by acres and acres of land.

455. And also, in some cases, there are large streams of water stocked with admirable fish?—Yes.

456. You are going to pump them dry, are you not?—I hope not.

457. You are going to try. Do you know at all how many mills there are upon these different streams?——

Mr. *Rickards.*] I think Mr. Grover could probably answer that question.

Mr. *Pembroke Stephens.*] Very well. I only wanted to know what amount of consideration had been given to this proposal, bearing in mind the large interest which I represent.

Cross-examined by Mr. *Worsley Taylor.*

458. I am concerned for the Middlesex county council and the borough of West Ham. As I understand you, your idea when you went to consult Mr. Ritchie was (I have your own words here I think) that you should construct a body which should have the confidence of all concerned, to inquire into this matter?—Not to inquire, to arrange the price. The foundation of the scheme which we suggested was similar to the framework of this Bill, that a water authority should be constructed, and that a board commanding the respect of all concerned should be created to determine the price.

459. And it is still your view that it should command the confidence of everybody concerned?—Yes.

460. I suppose the memorandum on the first page of the Bill expresses your views that the object is to confer on a Water Trust representing the water consumers and the inhabitants of the metropolis and the adjoining districts?—Which clause is that?

461. The first, to confer upon a Water Trust representing the water consumers?—Yes.

462. That is to say, you would have fair regard to all the rights, interests, and wishes, not merely of the people inside the London county council area, but those outside, who are water consumers?—Certainly. That, I think, is the basis of Sir William Harcourt's Report (paragraph 4) which I have referred to.

463. And your body ought to command the confidence of the outsiders as well as the insiders?—Yes.

464. One word first of all about the London county council. You reserve power in your Bill to them to take over the powers of the Bill. Assuming they elected to do that, what representation would anybody outside have in regard to the water?—None at all.

465. Do you still press that as part of your Bill?—No. The county council will not take it, and I do not see that we can.

466. Then we may regard that as done with?—Of course it rests with the Committee.

467. No. I mean so far as you are concerned. I want to ascertain the views of the promoters?—Well, I think you may say so. We cannot force on the London county council a duty which they decline to take; that is practically our position.

Mr. *Worsley Taylor*—continued.

468. That shortens it very much. Having set to work to create a trust which should command the confidence of everybody, did you regard the Middlesex county council as people worthy of being consulted?—We take the people who elect the Middlesex county council; the county electors are the electing body for the Water Trust.

469. Do you know the area of the Middlesex county council, their jurisdiction —Yes.

470. I should be right in putting their population at something over half a million, should I not?—Yes, that would be about it.

471. And their area about 150,000 acres?—I should have thought it would have been larger than that.

472. Do you know that within that jurisdiction there are, I think, exactly 30 local authorities, local boards, and so on?—I did have a list, but I have not got it with me.

473. I should probably be about right; will you take that from me?—Yes, that would be about it, about a third of the total number (which is 90) in the metropolitan water area.

474. Did you ever consult the Middlesex county council?—No; we sent copies to all the local authorities, the urban and rural sanitary authorities.

475. Copies of what?—Copies of the resolutions which were passed.

476. Did you ever invite them to any conferences?—We invited them to express their views, and they all held aloof.

477. Did you ever ask them to join in any conferences as to what the Bill should be?—I believe we did; I should not like to say positively.

478. It would be by letter?—By letter.

479. And you can find those letters if necessary?—Yes.

480. But if I understand you clearly, you did not consult the Middlesex county council at all?—No.

481. Did you consult my clients, the West Ham Corporation at all?—No doubt (I cannot answer specifically) they would be included in the urban sanitary authorities.

482. I would rather deal with it specifically; my question is specific: did you consult them at all?—I believe so.

483. When?—In November or December.

484. By letter?—By circular letter.

485. That you can also find. Did you ever invite the West Ham people to consult with you as to whether the Bill should be promoted, and what should be the form of it?—Oh, no.

486. You have told my learned friend, and I do not want to go over the ground again, that there are fifteen vestries who are actually supporting you. You said that two vestries were in favour of the county council powers; is that two of the thirteen?—Two of the fifteen. They are in favour of the general principle of the Bill, subject to the elimination of the Trust.

487. In other words, they are not in favour of the Bill as it is now?—No.

Mr. *Rickards.*] The Bill still stands with Part VI. in, but we shall not support Part VI. by evidence.

Mr. *Richards*—continued.

Witness.] Will you allow me to put it in this way: they were in favour of the Bill as it stood on the opening of this inquiry.

Mr. *Worsley Taylor.*

488. They were in favour of the county council part of it, which has gone?—Yes.

489. Therefore they are not in favour of what remains?—I think they would prefer the Bill as it is, rather than have the whole matter thrown over for another year.

490. At any rate, we will take it, we have 13 actually in favour of the Bill as it is?—Yes.

491. They represent how many people?—Two million, I think. You see they take in Islington with the very large population of over a quarter of a million; they take Wandsworth, 170,000; Kensington, 200,000; and so on.

492. I will take your two millions. Now tell me how many people you propose to include in your area of supply altogether?—Five and three-quarter millions.

493. How many people out of the five millions are actively opposing your Bill?—That I cannot say. Of those who actually oppose the Bill, I presume 20 of the petitioners would now come in support of it, inasmuch as the county council clause may practically be regarded as dead.

494. We shall see whether they will come; but you cannot tell me how many are opposing?—No.

495. Did I understand you that the idea of getting rid of the vested interests which the companies might acquire under the quinquennial valuation of this year was an object for pushing on the Bill?—Yes.

496. Then that has gone now?—No, it has not.

497. How?—Because we take power in our Bill to prevent their claiming any capital value. What the Bill does is this: to allow the companies to derive the unearned increment from individuals, but it prevents them setting up a claim against the purchasers.

498. No doubt the water companies will have something to say about that?—No doubt.

499. I see in the preamble of your Bill that the one object set out is to improve the supply of water, and at the same time diminish the expense?—Yes.

500. That means of course the expense to the consumer?—Yes.

501. That means reducing the rates?—Yes.

502. And in the memorandum I see you are going to equalise the charges?—Yes.

503. Are you going to level them up or level them down? It must be a levelling down, I suppose?—I am not a prophet, and cannot say what course it will take.

504. The object of the Bill is to lessen the expense?—I should take it the public opinion would never stand levelling up.

505. And if it did, the object of the Bill would fail?—I am not sure of that.

506. Would it still be a good Bill if the result was to raise the price?—Well, if there was any levelling up at all, the rate of charge must come down, because the trust would only want a certain amount of income.

Mr. *Worsley Taylor*—continued.

507. Have you calculated the price you would have to pay for the water companies?—No, we leave that to the arbitrators.

508. Have you gone into any calculation?—No.

509. Have you consulted experts?—No.

510. Not at all?—No.

511. Have you formed no idea of what you may have to pay?—No.

512. Have you considered what saving there would be from unity of management?—I have an idea of what we ought to pay.

513. I daresay; and I suppose the companies will have an idea, too, and your two ideas will not agree?—I do not know.

514. You do not think they will. Have you considered at all what the saving would be in pounds, shillings, and pence per annum from the unity of management?—Yes, I had that in my evidence; but I understood the Committee were satisfied that economy would result, therefore I did not go into it.

515. I only want to know if you can give me the figure if you have considered it?—Yes, I can.

Mr. *Richards.*] Perhaps the witness might give one estimate?

Mr. *Worsley Taylor.*

516. Is it your own estimate, Mr. Wilkins?

Witness.] I cannot call it an estimate at all. Do you mean an estimate of the saving?

517. Yes?—No; that is based on the figures given before Sir William Harcourt's Committee.

518. It is founded on that, is it?—Yes; also with regard to the figures given by Mr. Wood at the Guildhall inquiry last year.

519. Have you formed any idea of what the future rates might be expected to be?—What rates?

520. Water rates?—No; that would depend on three or four things. It would depend, firstly, on the price paid for the undertakings; secondly, it would depend on the prudence of the administration of the trust; thirdly, it would depend on the development of the districts; and, fourthly, it would depend on the further capital expenditure which will be required. All those, of course, are uncertain elements. Therefore it is impossible to form any reliable estimate of the reduction.

521. If I follow your evidence aright, when you get this Bill you propose to inquire carefully into all these matters?—No; because some of them will develop themselves and will need no inquiry. Any amount of inquiry in the world will never tell you the ultimate development of the water area.

522. But will not you inquire. I understood so from you?—I am afraid I did not make myself clear. What the Trust will do, or what they are empowered to do, will be to inquire into the undertakings generally; the condition of the undertakings.

523. After the Bill has passed?—After the Bill has passed.

524. Supposing the result of that inquiry should be to convince you that the price you would have to pay to the companies should be

Mr. *Worsley Taylor*—continued.

so high that you had better leave things as they are, what will you do?—I have sufficient confidence in the board of arbitration we propose to establish to believe that they will not put a prohibitory price upon the undertakings.

525. I see, that is your reliance, is it not?—Certainly; and a very good reliance too, I think.

526. Let me put this to you: Supposing you had consulted skilled persons, and the result of their advice was to convince you and the Trust generally that you would have to pay such a price as the result of an arbitration that you had better leave things as they are now?—I do not think it would be possible; because, under any circumstances, you would have to have a system of distributing mains, and the mere cost of putting a new system of distributing mains through central London, indirect loss alone in opening up the roads and so on would be enormous. I have very carefully considered that point, I may say.

527. You know that one very careful inquiry was made by Mr. Smith ten years ago into the price at which they might be got?—Yes. And I know Mr. Smith did not inquire at all into the value of the undertakings as undertakings. He simply based his value of them as dividend paying concerns.

528. But still he was a skilled person?—He was a skilled person.

529. And made what he thought a good bargain?—And what Parliament thought was not.

530. When that bargain came to be examined subsequently, Parliament came to the conclusion it was a bad bargain, and things had better be left alone?—No, not that they had better be left alone; that that purchase had better be left alone on those terms.

531. Suppose the same thing happens to you as happened to him, that as the result of your inquiries you come to the conclusion the price will be too high. You are aware under this Bill you must give your notice?—Certainly. But with regard to arbitration I have already said the arbitrators would act under a sense of responsibility. I should like to supplement that by saying this: that the Trust, as purchaser of course, would call skilled engineering evidence as to the condition of the systems of supply generally, the reservoirs, distributing pipes, and so on. And Mr. Smith in arriving at his bargains did not take that into consideration to any extent at all.

532. Now I want to ask you about the arbitrators. You say they would act under a sense of responsibility?—I should think so.

533. I suppose all arbitrators do that, do they not?—I should think these would act under a a sense of special responsibility.

544. Which do you think more likely to make a man act under a sense of special responsibility, a man who has the courts over him to control him if he goes wrong; or one who is left without such control?—My experience, speaking for myself, is that if I have nobody to control me, I should pay very much greater attention to matters of detail than otherwise I should. I have been present at enquiries where it has been said, "we need not go into that, if we do not do

Mr. *Worsley Taylor*—continued.

substantial justice you can appeal"; whereas if there is no court of appeal, those matters will be carefully considered by the arbitration.

535. Then a review of arbitrator's decisions you think is of no use?—They will be useful to guide them.

536. Why do you take them out of the general law here?—To increase the responsibility of the arbitrators.

537. Why would not that apply in evey case? Here you have a very special case where the argument is, take them out of the general law, which you admit is useful. Why is that?—Because there are special circumstances. This is a series of 10 different arbitrations. You see the general law would require 10 different arbitrators to be appointed.

Mr. *Lowther.*] Does this arise out of your petition, Mr. Worsley Taylor?

Mr. *Worsley Taylor.*

538. Yes, Sir, I think you will find it does distinctly on the West Ham Corporation petition. I will not go further with regard to that, I am merely going to ask about the water which is taken from Middlesex. (To the *Witness*). The admistrative county of Middlesex is bounded for a considerable distance by the river, and within their limits water is pumped, you see the intakes there on the map?—The county of London, do you say?

539. No; Middlesex both at Staines to some extent and lower down at Hampton?—Sunbury intake is the farthest we shall go.

540. In addition to that are there wells which belong to the East London or the New River Companies?—There are wells belonging both to the East London and New River Companies.

541. Outside your county council area?—Outside the county of London.

542. And within the county of Middlesex area?—I am not quite sure that it is within the county of Middlesex or Hertford; at any rate it is quite close.

543. Then in addition to that you propose to buy up Rickmansworth Water Works?—Yes.

544. Those do not send any water at all to London at present, do they?—No.

545. You gave a figure of twenty or thirty million gallons a day of what you call surplus. Do you mean that will be a surplus over what is now being used from those works?—Of course it will be a surplus over what is now being used, and a surplus also over local requirements; not only what is actually supplied, but what is required.

546. You mean taking their existing stations there is now a surplus over the present quantity utilized of twenty to thirty million gallons a day?—At their present pumping stations?

547. Yes?—I should not like to go as far as that. I would rather these questions were put to Mr. Grover; but as I understand his report it is this: that to get those twenty or thirty million gallons we should have to sink the wells deeper. We can get fifty million gallons if we go low

Mr. *Worsley Taylor*—continued.

enough down and make the bore sufficiently large.

548. You are taking water which belongs in a sense to the administrative county of Middlesex for the purpose of supplying London?—Of course as to the Sunbury, Hampton, Moulsey, and Teddington intakes we stand in exactly the same relation as the eight companies do to London. With regard to Rickmansworth, we propose to stand in precisely the same position that that company do. They have power to sell surplus water provided they do not prejudice their locality, and we propose to come under the same obligation.

549. You agree, then, that the locality has the first claim?—Certainly.

550. And that none of it goes to London?—Certainly. That is safe-guarded by Parliament and we must abide by Parliament's decision in former years.

551. Who told you no existing privileges would be prejudiced?—I take that from Mr. Grover's report.

552. Have they been in the market trying to sell themselves to anybody, do you know, for some time?—I should think not.

553. Do you know. They are not very flourishing, are they? Would they not be very glad to sell themselves?—We have had no approach from the company as a company. The position of affairs is this: that the undertaking is not yet out of the hands of the contractors, and the contractors are paying a fixed rate of interest to the shareholders during construction.

554. As you are taking water away in that way, and proposing to take more which is in the administrative county of Middlesex, do you see any objection of supplying them, or other local authorities outside if they like, with water in bulk and allowing them to buy distributing mains?—Do you mean outside the water area?

555. Say outside the county council area?—Which county council?

556. The London county council?—I do not quite understand your question.

557. As you will take away water to which, I say, the county of Middlesex has a claim, do you see any objection to coming under an obligation, assuming you are to have a Bill at all, to supply the county council, or the local authorities in Middlesex, or other outlying places who may desire it, with water in bulk and allowing them to take, of course on ordinary arbitration terms, the distributing mains?—Yes, I have considerable objection to that, in the absence of further information.

558. Why?—You might by that take out a little island, so to speak, and derange the whole distributing system of the whole area.

559. Where would be the island, look at the map?—Supposing you take out Hendon, for instance.

560. I am putting to you the whole of Middlesex?—Take out the whole of Middlesex.

561. Yes?—Even then you might derange the whole system of distribution.

562. Why?—I have no plan of the mains.

563. Has such a matter as that been considered?—Yes, it has been considered.

Mr. *Worsley Taylor*—continued.

564. Is someone coming who will tell us what the objection is?—No.

565. Was it considered?—It was considered and it was considered the bases to be taken was Sir William Harcourt's Report.

566. Was such a matter as making arrangements with outside authorities ever considered by you?—It was considered and rejected on the ground I have stated.

567. Why did you not consult the county council of Middlesex on that point?—We consulted all the local authorities.

568. On that point?—Not on that point, but on the general question of whether we were open to receive suggestions, and if it was such a very important point, why did not the local authorities themselves, knowing we were moving in the matter, suggest it to us.

569. That we shall deal with hereafter?—I mean it is important from their point of view, and not from ours.

570. As I understand you, it was a thing that suggested itself to your minds without their interference?—Yes.

571. And yet you never consulted them. Does not that point rather to the desirability, before a Bill of this magnitude is brought in, of consulting people outside who have interests of that kind?—The Middlesex county council are very well represented here.

572. I am obliged to you. I will put my question again. As that is a matter which presented itself to your mind without they are suggesting it to you, does it not occur to you that that is a very good reason for consulting the Middlesex county council before promoting this Bill?—No; because you see the local authorities might have divided opinions and so derange the whole system of supply. The practical suggestion is this: that the supply enters London at an enormous number of different points, and it is impossible to say what the result of supplying in bulk would be, from an engineering point of view, until we have the whole system of mains planned out before us.

573. All the more reason for consultation beforehand?—I do not see that at all.

574. Supposing the authorities to have different views; if you find those 30 local authorities, or the vast majority of them, were at one in desiring such an arrangement as that, would that alter your view at all?—No, it would not, not if it was impracticable. It has to be shown, first of all, that it is practicable, and we are of opinion it is not.

575. Did any engineer advise you it was not?—No.

576. Taking the case of West Ham, supposing that on further inquiry they desired to make such a suggestion as that, do you know that the supply which you want in London proper absolutely comes through West Ham, and therefore in that case there could be no possibility of deranging the supply?—You might take isolated cases like that. West Ham is one, and no doubt there are other local areas which would not; but I am speaking on the general principle.

577. Quite so; and there is an exception to your own general principle. Who is the engineer who advised you that it would be impracticable

in

Mr. *Worsley Taylor*—continued.

in the case of Middlesex?—The county council of Middlesex are not the water authority. The water authorities, you see, are the local authorities.

578. Who is the engineer who advised you it would be impracticable?—I told you no engineer advised us on that point.

579. Now, a word about the representation. I make out from your schedule that we have seven divisions (if I may call them so) outside, that is, in Middlesex. What representation should we be entitled to altogether on your Trust?—That, of course, would depend on the Local Government Board.

580. The understanding was that they were to be made into pairs.

Mr. *Rickards.*] That is altered now to "one or more"; the Local Government Board have power to group together one or more.

Mr. *Worsley Taylor.*] Then the most we could have would be three-and-a-half.

Mr. *Rickards.*

581. If the Parliamentary division is an extremely populous one, the Local Government Board might form that single division into one area.

Witness.] I instanced in my examination in chief the borough of West Ham.

Mr. *Worsley Ta*

582. What is the total number of representatives?—Thirty-nine.

583. How many of those must be within the London county council area?—We should say, of course, it depends upon the Local Government Board. Practically about 36 or 27.

Mr. *Worsley Taylor*—continued.

584. That 26 or 27 would represent that small compact are all lying together?—With a very large population and a very large rateable value.

585. Quite true, with identical interests?—Not with identical interests.

586. Why not?—Because the bulk of the water would be consumed in that small and compact area, and the bulk of the cost would be borne by that small and compact area.

587. Because they have a larger rateable value?—They have a larger rateable value and a very much larger population.

588. Taking them altogether it is a population of the same class, one may say?—The population of London you see embraces all classes.

589. And more easily represented, more "getatable"?—I am not sure of that, my experience in elections is rather the reverse.

590. Would you compare the value of one representative there with one representative in the more scattered area of Middlesex?—The one representative in the scattered area of Middlesex would represent a very much smaller number of people, and a very much smaller rateable value.

591. Scattered over a larger area?—Yes; he would represent a smaller consuming power of water and a smaller proportion of the cash.

592. There is only one other matter I have to ask you about. Do you propose to give a constant supply in all cases?—We propose to come under the obligations of the Metropolis Water Act 1871, and apply that to the whole area.

593. Would that give a constant supply?—By requisition.

594. All over?—All over. In fact the companies are under that obligation now, and we propose to take their place.

Wednesday, 6th May 1891

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Rickards.*] I PROPOSE, Sir, to put Mr. Cook, the gentleman who made these maps, into the box, to ask him one question to explain how he arrives at 708 square miles in the proposed water area.

Mr. *Bidder.*] It is very inconvenient now.

Chairman.] I think it would be rather inconvenient to interpose him just now. It is not very important.

Mr. *Rickards.*] I thought it would not take two minutes just to explain that. He need not be sworn, even.

Mr. *Bidder.*] It will do just as well afterwards.

Mr. *Rickards.*] By all means. Before the cross-examination is proceeded with I should like to say one word. One of the members of the Committee asked for figures showing the population and rateable value of the districts represented by the eight vestries not in accordance with the Bill. Mr. Wilkins has obtained those figures, and will give them to the Committee, if desired.

Chairman.] Perhaps Mr. Wilkins will just give the correct figures, and if there are any questions asked upon them they can be put.

Mr. HARRY WILKINS, recalled; and further Examined.

Mr. *Rickards.*

595. HAVE you added the figures up?—Yes.

596. What is the total?—The total population of the eight vestries and district boards is 1,128,361; and the rateable value is 8,037,669 *l.* These are the adverse vestries.

597. Of those, some propose an independent supply, and some of them object to the county council, or rather, are in favour of the county council?—Yes.

Chairman.] We have had those figures in the examination in chief. I have got them down in my notes already.

Mr. *Rickards.*] I did not know that; I beg your pardon, Sir.

Mr. *Meysey Thompson.*] I appear, Sir, on behalf of the Beckenham local board, the Bromley local board, and the Bromley rural sanitary authority, which are three local authorities within the district of the Kent Company. I also appear for the Corporation of Richmond, which is a distinct case rather; but the three Kent local authorities really are practically on the same footing.

Cross-examined by Mr. *Meysey Thompson.*

598. In your cross-examination yesterday by my learned friend Mr. Worsley Taylor, you said that you had considered the question of the portions of the water companies' areas which are outside the boundary of the London county council, being transferred to the local authorities within those districts?—Yes.

599. And I think you said you came to the conclusion that the point was impossible to be met?—Impossible at the present time.

600. Would you kindly state to the Committee your reasons for saying that it is impossible?—You see the main principle of the Bill is to consolidate the eight water undertakings under one management, and until the Water Trust are in possession of full engineering evidence they will not be able to come to any real decision upon that question.

601. What I want to know is, what is the difficulty? You are aware of course that there are many precedents of cases in which a local authority or corporation has been authorised to purchase both gas undertakings (as in the Birmingham case) and water undertakings, and where Parliament in sanctioning the original Bill, has put in a clause saying that if within a certain limited time the local authorities outside the corporation area came to Parliament for power to purchase that part of the undertakings within their area, then they should be allowed to do so, and that the purchasing corporation should only

Mr. *Meysey Thompson*—continued.

only be allowed to oppose on clauses and not on the principle of the Bill?—Yes, I am aware there are precedents, but not under precisely similar circumstances.

602. There are no precisely similar circumstances to these, I admit at once?—Exactly.

603. There is no place in the country like the metropolis; but what is the difference in principle? Take, for instance, this Kent Company's supply; take the area of the Kent Company. The Kent Company supplies a comparatively small area (so far as area itself is concerned) within the metropolitan area?—Yes.

604. And a large part of what might be called suburban district?—By far the larger part of the Kent district is, of course, outside the county of London.

605. And is what may be called suburban district?—Yes, but rapidly becoming urban.

606. But in some parts purely rural?—Yes, in some parts at present.

607. The nearest you get to a town population is the suburban population?—Yes.

608. Supposing the Water Trust, or whoever may be entrusted with the duty of carrying out the purposes of this Bill, are required to sell to the local authorities within the Kent Company's area outside the metropolitan area those parts of their undertaking within each one of their districts, what is your objection there?—It is rather an objection of detail than of principle. I say that the time has not arrived when that can be fairly considered. You see the Bromley and Beckenham local boards propose to unite for the purpose of purchasing.

609. I can tell you at once that all the authorities within the Kent district would unite; they are quite ready to unite; and that I can prove to the Committee if necessary; and if it is thought better that they should combine and purchase it as one undertaking, they are quite ready to do so; or they are ready to purchase the separate undertaking within their respective districts?—The only information I have got on that point is from the Bromley and Beckenham local boards. They propose to unite for the purpose of purchasing merely the distributing mains within their districts. You see they would have no supply of water except what they gathered.

610. That is easily got in their district?—Yes, but as I say, it is an engineering question, and might seriously prejudice the distribution of water throughout the metropolitan area.

611. I must press you to show to the Committee why. I do not admit for one moment that there is any question of detail involved in the putting in a clause of this kind. The details would be settled by the Committee who had the Bill before them to carry out the purchase. Now, I ask you on the principle of the thing: What is your objection on principle to the Committee putting in a clause enabling a future Committee of Parliament, if they think right, to pass a Bill for the purchase, and merely authorising you to oppose on clauses?—As I say, it is more a matter of detail than of principle. I am not prepared to say what the effect of that would be, but you see if we concede it in the case of the Kent Company we should have to do so in all

Mr. *Meysey Thompson*—continued.

the suburban areas, and it might cripple the Bil and render the Bill absolutely useless for the purpose of unifying the eight water undertakings. I do not say it would, but it might.

612. Anything might be; but I want you to point out to the Committee an intelligent reason why you may naturally apprehend it will be?—If you take out this you will simply take out a island of distributing mains, and nothing else.

613. What is the objection?—The objection is this: As I say, it might, and probably would, seriously interfere with the distribution of water on all sides of this little island, all round.

614. How could it possibly?—Because the distributing mains are so interlaced.

615. You know perfectly well, surely, that in all these cases it is done. Take the Birmingham case; I can read you the clause of the corporation in which provision was made that they should not be empowered to purchase anything which would interfere with their supply to the rest of their district. That of course is a necessary part of the clause. We should not be entitled to purchase anything which would interfere with your general supply of water from that part of the district to the metropolitan area. What I want to know is, what is your objection, so far as distributing the water itself is concerned, to that being put into our hands with powers to purchase the distributing mains in accordance with a very great number of precedents passed by Parliament?—Not precise "precedents." There are no precedents, so far as I am aware, authorising a small island being taken out of a general system of distribution.

616. There is no island at all. We ask to take the whole of this area which lies outside the metropolitan area. It is not an island; it is rather a promontory?—That is not before the Committee. This is the first intimation I have had of it. It is a serious question, and I could not possibly answer that off-hand.

617. Have you read the petitions of these local boards?—Yes.

618. Do not you know that they everyone ask for it?—No. The Bromley and Beckenham districts do.

619. Let me read to you: "Your petitioners therefore submit that if any compulsory power of purchase of the water supply is given to the metropolis, they should also be empowered to purchase the rights of the Kent Water Company"?—Yes; but that is not combination with other districts.

620. No, I did not say it was?—I understood you to say that they were combining under one authority to take the surburban and rural districts of the Kent Company.

621. I say that is one suggestion. They are ready to do that, either to do it in combination or individually?—That is not in any of the petitions, and you have rather sprung it upon me. Of course I cannot possibly answer a question of important principle like that off-hand.

622. The principle of the thing I am asking you about is the principle of the acquisition of the water undertaking within each of the companies' districts by the local authority of that district. Surely it is the same principle as is

sanctioned

Mr. *Meysey Thompson*—continued.

sanctioned generally in the case of a party acquiring water within the metropolitan water area?—I should like to see the details of the scheme before I express an opinion.

623. Forgive me for saying so, but you have nothing to do with the details of the scheme. The details of how we carry it out within our district do not affect you?—I beg your pardon.

624. It does not appear to me to affect you in any sense or in any form?—It might seriously affect the distribution of water in the Kent district through the county of London.

625. How can it possibly do so?—It might do so, and I think it very likely would.

626. How could it possibly. You would be entitled to keep the present reservoirs, the present pumping station, the present wells; you are to be entitled to keep everything which is necessary for supplying water within the metropolitan area. Now, how can it possibly injure your supply to that area that you should sell the distributing mains and the power to take other water for the purposes of the particular districts outside the metropolitan area to the local authorities?—You mean as one area?

627. As one or as individuals?

Mr. *Rickards*] Well, which.

Witness.] I am afraid I could not answer that question off-hand.

Mr. *Meysey Thompson.*

628. I must press you upon that to point out to the Committee how it can possibly prejudice you?—The only point that we have before us in the petitions is an isolated district, not all the districts. The isolated districts propose to take the distributing mains and form a little island, and that might very seriously interfere with the general system of distribution.

629. One or two of the petitions at least suggest, and if Parliament thought it proper they are all perfectly willing, and I may say at this moment I am ready to prove before the Committee by representatives from every single local authority, that they are ready to join in such a trust or such a combination, and purchase as a whole?—Yes; but that is not a point before the Committee as it stands at the present moment.

Mr. *Rickards.*] My learned friend is setting up now an alternative scheme to that proposed by the Trust.

Mr. *Meysey Thompson.*] Nothing of the kind.

Mr. *Rickards.*] Have you got plans prepared for a combination of the districts of these local boards, plans shewing the mains that pass through these different districts, and shewing whether any of the principal mains pass through the Beckenham Local Board district from reservoirs of the Kent Waterworks Company to other portions of the district. Anything of that kind would of course interfere with the distribution of the water through the remainder of the Kent Waterworks Company's district. If you have plans of these things, I think they ought to be put forward. My learned friend is putting forward an alternative scheme.

Chairman.] I think Mr. Thompson is entitled to ask these questions, but I think, Mr. Thompson, you cannot expect to press the witness too much to answer questions upon a scheme which has not been before the committee for whom he speaks; though I do not think you have gone too far at present.

Mr. *Meysey Thompson.*] Yesterday he said it was impossible; and I merely wished him to point out to the Committee why, because I submit it is very possible to be done, and according to precedent that it should be done. I only thought it fair to give the witness an opportunity of dealing with it.

Chairman.] Oh, yes.

Mr. *Meysey Thompson.*

630. (To the *Witness.*) There is one other point I want to ask you about with regard to these local authorities. You stated yesterday that you would be under the same liability as the present companies to take no more water from the Thames than at present?—That is so. We propose to stand in the shoes of the water companies.

631. Does that apply to the taking of water from all the districts?—Water from all the districts of the ten companies, do you mean?

632. No; the area of the Kent Company, for instance. Can you take an unlimited supply of water from that without further Parliamentary powers?—No, I do not think we could.

633. Tell me what clause it is that limits you? Clause 7, you see, gives you the power to "use the water, or the means of supply of water, belonging to any one or more of the scheduled companies, and the water derived from any new and independent source for supplying the whole or any part of the metropolitan water area"; would not that justify the Water Trust in taking water for the whole of London from the Kent Company's district?—That would depend on the statutory powers of the Kent Company.

634. Why would it? Do you mean to say that that is controlled by Clause 10; because, if so, it seems to me to be worthless. By Clause 10 you take power to exercise the same powers as the companies?—Yes.

635. And you say, "all the provisions of any Act relating to such company shall apply to such undertaking in the hands of the Water Trust in the same way (subject to the provisions of this Act) as they would have applied to such undertaking in the hands of the company to which such undertaking previously belonged, and the Water Trust shall (subject to the provisions of this Act) exercise under any Act of Parliament or charter or agreement, or other deed or document relating to any company, the same powers, and have the same rights, and be subject to the same obligations as such company would have had, exercised, and been subject to if the sale of such undertaking to the Water Trust had not taken place;" but surely that is absolutely inconsistent with Clause 7?—No, I do not think so.

Mr. *Rickards.*] Mr. Thompson, allow me to explain: The object of Clause 7 is to enable the Water Trust to re-arrange the distribution and to

to supply water we will say in high lying districts.

Chairman.] It is perfectly evident what that clause means, Mr. Thompson, I think.

Mr. *Meysey Thompson.*] Yes; and I think it goes further than it ought to go. I want to know whether it would or whether it is intended to authorise the Water Trust to take as much water as they please from the Kent Company's district to supply any part of London.

Chairman.] Within the Parliamentary powers. It is perfectly plain that it enables them to do so within the Parliamentary powers of the present Kent Company.

Mr. *Rickards.*] That is so.

Mr. *Meysey Thompson.*] The present Kent Company is limited to supplying in their own area.

Chairman.] I do not know what the Parliamentary powers are, but if the Kent Company have certain Parliamentery powers with regard to the total amount of water taken, that amount of water could be taken under the Water Trust and sent to any other part of London than the Kent district; that is the object of the clause.

Mr. *Meysey Thompson.*] The point is this: the present powers of the Kent Company to take water is for the supply of the area which they are authorised to supply, and as you know, Sir, whenever a water company goes for an extension of its water supply, and is therefore going to take fresh water from the district, the local authority of the district is always entitled to its *locus* to oppose the Bill on the ground that they want the water for their own district, and that there is no water to spare.

The Kent Company being authorised to take water for the whole of their own district, the Water Trust asks, by their Bill, that they should be entitled to take it not only for that district, but for the whole of London. I say upon that question whether they should be allowed further powers to take the water, we ought to be heard; we may be able to prove the case as set up by Rickmanworth, that the wells are being lowered, and that the water ought not to be further taken away.

Chairman.] Are there any limitations in the Act (which you are familiar with no doubt) of the present company's powers, any limitation as to the amount of water other than that limited by the area of the district which they supply?

Mr. *Meysey Thompson.*] They are only entitled to supply within their own area; if they get power to supply in bulk outside their district that has to be a separate power; but their powers are absolutely limited to taking water for the area which they are authorised to supply.

Mr. *Rickards.*] May they supply water in bulk to outside districts; will you tell me that?

Mr. *Meysey Thompson.*] I am told not. The only necessity for that clause, to supply water to outside authorities, is because you cannot supply water without that power. It is necessary to get Parliamentary powers to supply the water you take outside your district, because it is surely obvious that it may be a very great injury to the people of a particular district that the water company which supplies them from sources of supply within their district should be authorised to supply other parts and take more water than they themselves need; it is not fair.

Chairman.] The point I am on (I am only asking for information) is as to whether there is any other limit fixed, as to the millions of gallons per diem or so on.

Mr. *Meysey Thompson.*] No; I do not think that is ever put in, except where it is taken from the river.

Chairman.] Their limits are the wants of the district within which they have Parliamentary powers.

Mr. *Meysey Thompson.*] That is so.

Chairman.] That is what I want to know.

Mr. *Meysey Thompson.*] But I can give you precedents, Sir ——

Mr. *Rickards.*] I may point out, Sir, with regard to the district itself, that the Water Trust will come under the obligation that the water company is under at the present time, that is, to supply its own district before they supply any outside districts.

Mr. *Meysey Thompson.*] Oh, of course; but that is very unsatisfactory.

Mr. *Rickards.*] The supply of the district itself would not be interfered with by the transfer of the powers of the Kent Company to the Water Trust.

Mr. *Meysey Thompson.*] What we ask for, I contend very shortly, is simply this: that they should be entitled, if they have power to purchase the undertaking of the Kent Company, to stand in the shoes of the Kent Company; that they shall be authorised to take as much water as the Kent Company are authorised to take, but that if they want to take more water hereafter they shall apply for fresh powers to Parliament, and that we shall then have an opportunity of being heard (as we should if the Kent Company proposed to extend their area), and go into the whole question as to whether there is water to be taken. If there was plenty we should not oppose; why should we? We have no object to oppose, except, we think, it will interfere with our supply, and to get clauses for our protection; and unless you, Sir, are ready to go into the whole question, I shall ask you to simply limit the powers of taking water, to the powers of the present company; let them stand in their shoes precisely, and get further powers when the occasion requires.

Mr. *Rickards.*] That is the proposition.

Mr. *Pember.*] I hope you two gentlemen are not going to discuss this matter now at length.

Mr. *Rickards.*] I merely point out that the powers of the Kent Company are to supply the district, whatever powers are obtained hereafter.

Mr. *Meysey Thompson.*

636. To the *Witness.*] I will ask you one question as to the Kent local authority supply; you do propose,

Mr. *Meysey Thompson*—continued.

pose, do not you, to take the supply for other districts?—Other districts. What do you mean?

637. Other parts of the metropolitan area. My learned friend in opening said, that the present supply, when supplemented by the chalk wells of Kent and other sources of supply, would be sufficient to supply the metropolis with a sufficient quantity of water for many years to come; therefore it is your intention to use those powers for taking this water to other parts of the metropolitan area?—So far as the district will allow. It might possibly be expedient.

638. That is your intention?—We take power to do it, I think.

639. Is it your intention to do it?—I cannot say what the intention of the Trust will be.

Mr. *Rickards.*] I am sorry to interfere again; I think that "Kent" ought to read "Rickmansworth and Leatherhead." That is obviously my intention, "supplemented by the lower strata."

Mr. *Meysey Thompson.*] "The present supply of water to the metropolis, taken from the Thames, the Lee, and the chalk wells of Kent.

Mr. *Richards.*] Yes, "the present supply."

Mr. *Meysey Thompson.*] "When supplemented by the lower strata, the chalk strata of Hertfordshire and Surrey, will be sufficient to supply the metropolis with a sufficient quantity of water, and water of a good quality, for some years, at any rate, to come."

Mr. *Rickards.*] Yes, that is what I intended to say.

Mr. *Meysey Thompson.*

640. (To the *Witness.*) Now one or two words with regard to Richmond: Have you considered the question of the Richmond Corporation?—Yes; I think I stated in my examination-in-chief that I thought the proviso in the 49th Clause would meet it.

641. But that is utterly insufficient for us?—I should have no objection to put Richmond on the same footing as Croydon in the second sub-section of Clause 49. There is this difference of course between Croydon and Richmond, that Croydon is being supplied by the Lambeth Company, except as to a very small portion of the area, whereas the whole of Richmond is in the middle of the area of the Southwark and Vauxhall Company; still I see no objection at all to putting Richmond in the second sub-section of Clause 49.

642. Do you see any objection to taking Richmond out of the metropolitan water area altogether?—I think the Richmond people might possibly object.

643. I can assure you they would not?—What we propose is a concurrent power to supply.

644. Exactly; and that is exactly what we object to?—No doubt the Trust would not want to exercise the power of supply unless it could be done economically and profitably.

645. This is an independent power outside the Metropolitan area?—I believe a part of Richmond is at present being supplied by the Southwark and Vauxhall Company.

646. You are misinformed; the only thing that

Mr. *Meysey Thompson*—continued.

is done is this, that the Southwark and Vauxhall Company has been placed by Parliament under an obligation to supply a certain amount of water in bulk to the local authority of Richmond. They applied to Parliament for powers to supply the district, but Parliament refused them upon the opposition of the Richmond Corporation. You know, do not you, that Richmond has spent, as they state in their petition, a very large sum of money, some 70,000 *l.* or 80,000 *l.*?—I am quite prepared to take that for granted.

647. You know they were only authorised to do so by the Local Government Board after the West Middlesex Company, within whose district they are, had declined and said they were not able or willing to supply the water, upon the ground that the only mains they had passing through the Richmond district were mains for carrying the water to the reservoirs, and unfiltered water; therefore they declined to exercise their powers, or to supply water to the district. Are you aware of that?—No, not to that extent, but I will take it for granted.

648. The only way in which Richmond is at present within the metropolitan area is that they are within the area of supply of the West Middlesex Company, who have declined to supply them, upon the ground that they are not able or willing to do so. You know, I daresay, that after the Richmond Corporation had established their works the Southwark and Vauxhall Company applied for powers to include them within their district?—Yes, because the Southwark and Vauxhall Company were supplying water without statutory power; that was the reason.

649. Quite so; they applied to Parliament to to continue those works to supply their district, and Parliament refused to give them that power?—Yes, and did not interfere with the *status quo.*

650. Then, as a matter of fact, the Corporation of Richmond, at least the Borough of Richmond, is technically within the district of the West Middlesex Water Company, who say that they are neither able nor willing to supply them, and the Southwark and Vauxhall Company have attempted to get them within their district, but Parliament has refused the power, and for all practical purposes they are at present supplying themselves, and have an ample supply?—I understand that part of the area in the Richmond Corporation is being supplied without statutory powers by the Southwark and Vauxhall Company.

651. I am told by the town clerk that that is not so?—Then I am misinformed.

652. And I am told that the whole is supplied by the corporation. Under those circumstances, considering that it is merely technically within the supply of the water companies at all, that actually the only company within whose area of supply it is has refused to supply them, do not you think it is reasonable that they should be allowed to remain as they now are, outside the district of supply?—I do not see any objection in principle.

Mr. *Bidder.*] I appear, Sir, for the Corporation of Croydon, and also for the New River Company.

Cross-examined by Mr. *Bidder.*

653. First, for the Corporation of Croydon: Are you aware that the Corporation of Croydon have their own waterworks sanctioned by Act of Parliament?—Yes.

654. And supply water for the greater part of their borough?—Yes; but not for the whole of it.

655. You are quite right; a small portion of the borough is within the district of supply of the Lambeth Company, and is, in fact, supplied by that company?—That is so.

656. The scope of your Bill now before the Committee is to include the whole of the borough of Croydon, is it not?—No; you see Croydon will be exempted from the monopoly which the Trust will possess over the remainder of the area; and the reason for excepting Croydon would be to continue the existing supply from the Lambeth Company in the northern portion of the Borough of Croydon.

657. You perfectly recognise that nothing ought to be done to interfere, as a first step, with the water supply by the Corporation of Croydon within their present limits?—Within their present limits, and I think that is safeguarded there.

658. Now we will go to the next step, if you please. Is it not obvious that it is reasonable that they should be the only water authority within their own limits, and that provision should be made that so much of the Lambeth Water Company's (that small fragment of the Lambeth Water Company's) district as is within the municipal boundary of the Corporation of Croydon, ought, under proper arrangement, to be made over to them?—That is rather a matter of detail than one of principle.

659. It is one of principle. Is not the principle of this Bill that the local authority should have the control of the water supply?—Yes; but you see if we do not have a provision of this kind in that 49th Clause; if we do not take power at any rate to supply Croydon at the present time, or for some time, where the northern part of Croydon is being supplied by the Lambeth Company, that portion of the Borough of Croydon might be seriously prejudiced.

660. I want to deal with the question of principle than of clause; do you agree that the principle which is at the foundation of this Bill, that the municipal authority ought to have control of the water supply within their own municipal area, is equally applicable to Croydon as it is to London?—Yes; subject, of course, to the interests of the Lambeth Company not being prejudiced by any hasty transfer of a portion of their undertaking.

661. I am not talking of the interests of the Lambeth Company, but when the Lambeth Company has been bought up by the Water Trust, the London county council, or whoever is to do it, then the application of the very principle of this Bill requires that, upon proper terms, so much of their undertaking as is within the limits of the municipality of Croydon should be made

Mr. *Bidder* —continued.

over to Croydon?—That you will be able to argue on the Croydon Bill.

662. I beg your pardon; I prefer at present to argue on this Bill. In principle it is right, is it not?—Subject to existing interests not being prejudiced.

663. Certainly; and inasmuch as it would happen after the Lambeth Company had been bought up, their interests would not be prejudiced?—I am not sure of that; I am not in possession of the plans of the mains.

664. Surely it would be subsequent to the purchase of the Lambeth Company; and the fixing of their purchase price cannot prejudice them?—It might interfere; it might throw a large cost upon them in re-arranging the distributing mains for the portion of the Lambeth area immediately bordering on Croydon.

665. In order to protect your scruples, we will say, subject to the interests of the Lambeth Company that is the principle which ought to be applied?—And subject to the existing interest of the consumers supplied by the Lambeth Company.

666. Very good, if you please. I will take it so far for the present. We are not discussing clauses now. But now one other question. When you come to the security under Section 21 for your water stock you contemplate that it should be secured by the rates of the whole of what for the purposes of this Bill is the metropolitan area, do you not?—Yes.

667. And that includes the rates of the borough of Croydon, does it not?—As far as the Lambeth Company is concerned.

668. No, no; but altogether?—I am not sure.

669. Yes, surely you know it is, unless this map is wrong. If I am right, that outer red line is the limit of the area of the Lambeth Water Company?—Yes, I believe that is so.

670. The limit of what you in this Bill call the metropolitan area?—Of course that is a matter of clauses.

671. On no, it is not a matter of clauses at all; it is a matter of fact at present; therefore, as your Bill is drawn, the whole of the borough of Croydon is within your metropolitan area?—Not the whole of it.

672. Well, nearly the whole of it, almost the whole of it?—A large portion of it.

673. You will agree with me that there is no sense or reason in pledging the rates of the Borough of Croydon, which, for the most part, finds its own water supply, to guarantee the water stock of the metropolis, is there?—No; I think the areas supplying water to their own districts might be exempted from the guarantee, certainly.

674. We are not dealing with clauses. Now one question for the New River Company. I am not going into the general question, as it affects all the waterworks companies, because my learned friend Mr. Pember is going into that, but there is one question peculiar to the New River Company. The scheme of your Bill is to offer to the shareholders in the various companies either cash or water stock?—Yes.

 675. Which

Mr. *Bidder*—continued.

675. Which water stock is declared to be personal estate?—Yes.

676. Are you aware that the shares of the New River Company are real estate?—Yes.

677. How are you going to get over that difficulty, and subject to all the incidents of real estate you know?—Quite so. You see it was necessary to adopt one uniform principle with regard to the stock over the whole area, and considering that the New River Company, large as the area is, takes but a very small portion of the whole district, it was thought expedient to assimilate the New River Company to the other parts of London.

678. Just take one part for instance, the simplest possible: you know what real estate goes to the heir?—Yes, quite so.

679. And personal estate to the personal representatives?—Quite so.

680. It is rather a violent step, is not it, to take, for the sake of uniformity, to alter the devolution of the whole of that enormous property?—There would be nothing to hinder the shareholders of the Company who preferred real securities from taking cash and investing it in real property.

681. Again, I am not going into details of clauses. You have not provided any machinery whatever that looks towards that or deals with that peculiar case?—Except that we give them the option of taking cash.

682. Which also is personalty?—Which also is personalty, and of course may be converted into real property by purchase.

683. I gather that in preparing the Bill you have given no special attention to how to deal with that difficulty?—Oh, yes, we have. That was very carefully considered.

684. At any rate, having carefully considered it, you did nothing?—We came to the conclusion that the best means to deal with it would be, as I say, to have one stock, the stock to be personal, consolidated over the whole area, rather than two denominations of personal stock, one representing about one-twelfth of the area, to be real estate, the other eleven-twelfths, to be personal property.

685. You have not faced the difficulty, although you have considered it?—We thought the provision of the Bill would be better in the interests of the stockholders generally. It is manifestly difficult to make two denominations of stock.

686. Without any special regard to the intricacies of real property as affecting property of the New River Company?—It is manifestly difficult to create two denominations of stock in the same area.

687. It is manifestly difficult; but it is a difficulty which must be faced and dealt with somehow.

Cross-examined by Mr. *Cripps*.

688. I want to ask a question or two on behalf of the Regent's Canal City and Docks Railway Company. Were you aware when you framed this Bill, what water-supplying powers the Regent's Canal had?—I am afraid that point has been overlooked. The intention of the Bill, of course, is not to interfere with the rights of sale of water for navigation purposes.

Mr. *Cripps*—continued.

689. But, apart from that, you know that under the proposals of your Bill you take exclusive powers of water supply, I may say, for all purposes?—Yes. That goes rather further, I think, than the intention of the committee of promoters.

690. Let me ask you about it; perhaps you can explain it. Do you know, as a matter of fact, that the Regent's Canal have statutory powers for the supply of water?—For navigation purposes, I believe.

691. No, no; more than that. They have statutory powers in more than one Act for the supply of water for manufacturing purposes?—Not for domestic purposes. That is what I should have limited it to rather.

692. But for manufacturing purposes. And you know also that at the present time they derived an income from that source of something like 3,000 *l.* a year?—Yes.

693. Assuming your Bill is to go on at all, would you be prepared to protect the interests of the Regent's Canal?—Certainly.

694. You would?—Oh, certainly.

695. To leave them in the same position as regards a water-supplying authority as they are in now?—That is the whole principle of the Bill, to interfere as little as possible with the *status quo* of the existing companies.

696. As a matter of principle, the Bill as it stands would interfere with the Regent's Canal Company, and take away their powers as regards this 3,000 *l.* a year?—Yes.

697. But you do not intend that?—No.

698. You know, I daresay, that the Regent's Canal Company get their water, for the purpose of navigation, amongst other places, from the Ruislip reservoir, and also from the well known reservoir at Hendon, the great reservoir?—Yes.

699. Are you prepared entirely to safeguard their sources of supply for navigation purposes?—Certainly.

700. For instance, I will just show you what I mean under your Bill. In Section 50 you take powers to exercise certain rights in the parish of Ruislip, amongst others?—Yes.

701. Would you be prepared, as regards all our water supply, entirely to safeguard it?—This 50th Clause gives no power of supply in Ruislip.

702. I know that. Without discussing details, because we need not, if you agree with me in detail. Are you prepared to give full protection to the Regent's Canal Company, so far as their water supply is concerned, for navigation purposes?—So far as they have existing powers under legislation, yes, certainly.

703. And let them take water from these various reservoirs, as now, for navigation purposes?—So far as they are empowered to take water.

Cross-examined by Mr. *Moon*.

704. I want to ask a few questions for the Grand Junction Canal Company. I assume your answer to my learned friend, Mr. Cripps, that you have no desire to interfere with the Regent's Canal

Mr. *Moon*—continued.

Canal Company in the supply of water for the purposes of navigation, and for manufacturing purposes, would apply also to the Grand Junction Canal Company equally?—Yes, the two cases are practically identical.

705. I want to ask a question of you, if you please, on behalf of the Kent Waterworks Company. The Kent Waterworks Company stands in rather a different position from that of the other waterworks companies which you propose to buy?—No, I think not.

706. Let us see. The whole of the area of supply of the Kent Waterworks Company amounts to something like 170 square miles?—Yes.

707. Of that area only 30 square miles are included in the metropolis?—No; the whole of it is in the metropolis.

708. The whole of it is in what you call the metropolis?—What is defined as "metropolis" by the Metropolitan Water Act.

709. Of course the whole of it is within the water area; but within what is known now as the metropolis there are only 30 square miles?—There are ever so many different boundaries of the metropolis.

710. I suppose then I may call it the area of the county council?—Certainly it is outside the county of London, and so all the companies are; all the companies go outside the county of London.

711. All companies go outside; but the proportion of the Kent Companies which is outside to that portion of the Kent Company which is inside is very large, is it not?—Yes. It is only a question of degree, not one of principle.

712. Do you also know that the Kent Company have a monopoly of supply in a part of its district?—In a part of the district, yes.

713. East Greenwich and Sayes Court?—So long as it is exercising its powers it has practically got a monopoly throughout the whole of the suburban area.

714. Besides the practical monopoly, which extends to the whole of the area, it has a Parliamentary monopoly in a certain portion of its district. Surely you know that?—No, I do not know that I do. Of course I know it has what you may call a general power of monopoly under the Public Health Act, as against local authorities outside the county of London.

715. I am speaking of its original charter as confirmed by Act of Parliament. You do not know that?—No.

Mr. *Rickards.*] What district, Mr. Moon?

Mr. *Moon.*

716. The districts of East Greenwich and Sayes Court. (To the *Witness.*) As regards the quality of the Kent water, of course you have read all the reports; at least, you said you had read a great number of reports?—Yes.

717. And the Kent water is a standard, is it not, of the quality which the water authorities should live up to?—There is a difference of opinion on that point. As far as purity is concerned, there is nothing to be said against the Kent Company; but the question of degrees of hardness has another bearing upon the point. Still, it is an admirable supply.

Mr. *Moon*—continued.

718. As regards its quantity, again, the quantity which is available for the Kent Waterworks Company is more than enough for its district at present?—For existing requirements, yes.

719. And for its probable future requirements?—Yes; and, therefore, they could spare water to the rest of London.

720. I believe it is your scheme, is it not, to take part of that water, and to blend it, for the supply of the rest of London, with the Thames water?—We take power to do so.

721. And I think you said yesterday, that in your view that would be a very desirable thing to do?—Well, it is the view of experts.

722. If the contention of the local authorities, for whom my learned friend Mr. Meysey Thompson appears, that the supply which the Kent Waterworks have, must be kept for the Kent Waterworks district, you would not be able to make any use of the Kent water for the purpose of the metropolis generally?—If it is confined to the Kent company's district, of course not; but that is not what we propose.

723. But I am saying, assuming that the local authorities in Kent come and say to Parliament, "None of this water must be taken away for the supply of the metropolis generally," that will restrict the available supply of the Kent Waterworks to the Kent district?—Quite so.

724. The whole result, therefore, of purchasing the Kent Waterworks would be, that there would be a different authority for the supply of the same district?—I do not quite understand the point.

725, If you are not entitled to take Kent water away to supply any part of it to the rest of the metropolis, the only result of the change by the purchase of the Kent Water Company would be, that a different authority would supply Kent water within the Kent district?—No, because one of the principles of the Bill is to equalize the charge of supply; and the initial charge of the Kent Company is rather higher than that of some other districts in London.

726. I daresay you know it costs more to pump water than it does to take it from the Thames?—Yes, no doubt.

727. I think you admitted in your examination-in-chief yesterday that the cost of the supply of water had to be regarded by the Water Trust in determining what the price should be of the water when supplied?—No, I think that is rather beyond what I want.

728. At any rate you said the higher districts were to be supplied at a higher charge?—Yes, that is, that the existing high level charges should be maintained.

729. The quality of the Kent Waterworks Company water being irreproachable, and the quantity sufficient, and the water to be confined to the Kent district, what ground have you for asking the Committee to allow you to purchase the Kent Water Works?—Because it forms an integral part of the metropolitan system.

730. To the extent of 30 miles?—To the extent of 30 miles, that is a fourth of the county of London; that is a fourth of the whole county.

Mr. *Moon*—continued.

731. There being no desire on the part of the local authorities that any change should take place?—What local authorities do you mean?

732. I mean the local authorities in Kent, Bromley, Beckenham, Bexley, and those districts?—Yes; but I think that Beckenham and Bromley certainly appear to desire a change. They want to have power to purchase the distributing systems in their own districts.

733. However, the Kent Company is to be purchased by the Water Trust?—Well, I am not quite sure that it is so limited in the petition.

734. Mr. Meysey Thompson read it this morning, but there has been no express desire of the local authorites; you do not say you are promoting the Bill for the purchase because the local authorities and the Kent Company say they want a change?—Well, the Woolwich Local Board have petitioned in favour of the Bill; they are supplied by the Kent Company.

735. That is within the metropolitan area, is it not?—Yes.

736. None of the districts outside have petitioned in favour, have they?—No.

Cross-examined by the Hon *Sydney Holland*.

737. (I appear for the Watford Local Board.) Are you still very keen about having this Rickmansworth Company in your Bill?—I do not know that I can express my view, or the view of my committee on that better than I did yesterday. I should regard it as a matter of importance, but not as a vital principle of the Bill?

738. In June and July when those resolutions were passed forming this Committee that you have read, no mention of Rickmansworth was made at all, I believe?—Oh, no, they were abstract resolutions, of course.

739. Have you any resolution passed bringing in Rickmansworth?—By the executive committee, of course.

740. Can you produce that resolution, or at any rate can you tell me the date of it?—Of course it would be before the Gazette notice.

741 Before November?—Before November; it would be some time in October.

742. Was that after Mr. Grover had been called in to your consultations?—No, I think not.

743. Before Mr. Grover was called in?—I believe so; I believe Mr. Grover is a recognised authority on London water supply, and the committee had some printed reports of his; or members of the committee, rather, had some printed reports of his, which were referred to.

744. He had interviewed members of the committee, had he?—No. The reports had been published, I believe, as part of the proceedings of the Institution of Civil Engineers, or, at any rate, a similar society.

745. Had Mr. Grover made no report to your committee?—I will tell you when Mr. Grover was consulted. The resolution to retain Mr. Grover was passed on the 16th October, or rather the solicitors and Parliamentary agent were instructed to see Mr. Grover to see

Hon, *Sidney Holland*—continued.

whether he was agreeable to accept a retainer by the executive committee.

746. Was he agreeable to receive a retainer?—Yes.

747. On behalf of the Rickmansworth Company?—On behalf of the executive committee.

748. He was acting in some double capacity, I understand, was he not?—I do not know.

749. You have learnt since, have not you, since you have been here, that he also acts for the Rickmansworth Company?—I was aware that Mr. Grover had constructed the Rickmansworth undertaking, but I was not aware until the other day that he was still engineer.

750. Did not he tell you all this time, during all these negociations?—He might possibly have told me; but I do not call it to mind.

751. Do you think your committee are as blissfully ignorant of that as you are yourself?—We knew he had designed and carried out the undertaking.

752. But not that he was engineer?—I am not sure.

753. Would you mind reading the resolution which refers to him?—The resolution is as follows, on the 16th October: "That Mr. Jordan be requested," &c., (*reading down to*) "both Houses of Parliament."

754. At that time had the committod settled to take the Rickmansworth Company?—They had decided to take supplementary sources, and I believe it was in the mind of two members, at any rate, of the committee, if not more, that Rickmansworth would afford the most valuable supplemental source of water that could be pitched upon.

755. Do you know whether those two members are members who had had an interview with Mr. Grover?—I do not know.

756. I see you said yesterday that it was upon the consideration of various documents, and upon the advice of the engineer, Mr. Grover, that Rickmansworth was included?—Yes.

757. Can you give us any report, please, from Mr. Grover, recommending the adoption of the Rickmansworth Company into the scheme?—No; Mr. Grover attended personally before the committeee, with a number of plans and details; he made no written report.

758. He made no written report?—He has made a written report since.

759. Upon the Rickmansworth Company?—Upon the Leatherhead and Rickmansworth Companies, both.

760. We should like to see that ——

Mr. *Rickards*.] Mr. Grover is going to be called.

Mr. *Holland*.] Never mind that. The idea is to get as much as you can from one and supplement it from the other.

Witness.] I have not got the report; that is handed over to the Parliamentary agent for the purpose of preparing the evidence.

Mr. *Rickards*.] That shall be forthcoming.

761. The

Mr. *Holland*—continued.

761. (To the *Witness.*) The 1880 report recommended, did it not, that the body when formed should be the body who should have the responsibility of determining the source?—Subject to this condition, that the existing undertakings were to be acquired, if they could be acquired, on reasonable terms.

762. That is the eight companies?—Yes.

763. The 1880 report settled that the eight companies should be bought, but it never went outside the eight companies?—No.

764. Nor did Lord Cross's Bill ever go outside the eight companies?—No.

765. But you have done so?—Yes.

766. On the recommendation, I understand, of Mr. Grover?—And upon the consideration of the reports.

767. From Mr. Grover?—No.

768. Will you tell us, please, what other engineer made any report. Mr. Rickards mentioned some corroborative engineer?—No other engineer made a report. The Duke of Richmond's Report is published, and Sir Robert Rawlinson's Report, and Sir Robert Rawlinson's Commission.

769. Let us take the Duke of Richmond's Commission. Can you point to anything in the Duke of Richmond's Commission which suggested your taking the Rickmansworth Company?—Not specificially, but it does suggest the chalk water in that part of London.

770. Excuse me; on the contrary, the Duke of Richmond's Commission only refers to the water at Grays, which is right down in the country where the water goes straight into the Thames and never comes to London at all?—From Rickmansworth.

771. I beg your pardon?—From the Rickmansworth district.

772. Right through London?—Yes, underneath the London clay, that is as I understand it.

773. No, that is as Mr. Grover understands it?—No, that is as I understand the Duke of Richmond's Report.

Mr. *Rickards.*] Would you mind referring to the passage?

Mr. *Holland.*

774. I can refer to a great many. There is page 58 in the Duke of Richmond's Report. It says: "But there is, in the large area of chalk to the south and south-east of London, a reservoir which does not feed either of those streams," that is, either the streams of the Thames or the Lee, "as its surplus waters find their way by innumerable springs into the Thames below London. From this reservoir, in all probability, large quantities might be drawn, and these quantities would be real additions to the supply." There is nothing about Rickmansworth there, is there?—Not in that particular clause.

775. Can you point out to me any place where there is?—No, I do not think there is; because when the Duke of Richmond's Commission was sitting, the Rickmansworth waterworks had not been constructed.

776. Or where the Watford district even is referred to?—The Watford district, no, I do not know that there is any such reference.

777. It goes on there to say that, from the Grays springs they think they could get as much as 30,000,000 gallons of water a day?—Yes.

778. We may take it, I think, that there is nothing in the Duke of Richmond's Commission referring to Watford. Now, we will go to your next authority. I do not know whether you have read Mr. Clutterbuck's evidence, which Duke of Richmond's Commission mention, as being the evidence of a gentleman of great weight; he says: "If you take water from the chalk the rivers would cease to flow," speaking of the Watford district, that is not much in your favour, is it?—No, and I do not know that it is corroborated.

779. You do not know what?—I do not know whether that view is corroborated.

780. It is corroborated in this Report of the Duke of Richmond's Commission?—The Duke of Richmond quotes it.

781. No; more than "quotes it," corroborates it; I mean, confirms it?—Adopts it.

782. Let us go to Sir Robert Rawlinson. You have quoted him several times as your authority; I dare say you have read the evidence he gave before the City Corporation?—Yes.

783. Do you remember his saying anything there in favour of taking water from the Watford district?—No; speaking generally, what he says is: The watershed of the Thames will provide water for London for all time to come.

784. The "water valley of the Thames," I think it was?—The water valley; yes, I beg your pardon.

785. Do you call Rickmansworth "the valley of the Thames"?—It is part of the watershed, I think.

786. That is not quite "the valley," though, is it?—The water, I suppose, comes into the valley of the Thames from the higher grounds.

787. Yes, that may be; but that is not what Sir Robert Rawlinson said, at any rate. Do you remember Sir Robert Rawlinson saying that the water from the Watford district was unreliable in quantity.

Mr. *Rickards.*] Is this in the Report of the County Council Committee?

Mr. *Holland.*] No.

Mr. *Rickards.*] Have you got a print of the evidence?

Mr. *Holland.*] Yes.

Mr. *Rickards.*] I suppose it is numbered: Would you mind referring me to it?

Mr. *Holland.*] Page 204. In the evidence he gave before the Corporation he is asked: "Are you aware of the existence of a large source of water supply from the chalk area at Watford? (*A.*) That is a chalk district; if you get the map you will see that that is so. (*Q.*) You know the existence of that? (*A.*) I know there is a large area of chalk which is water-bearing. (*Q.*) Would the observations you have just made, with reference to the chalk bed of the Thames, apply equally to that as a supply, which would be unreliable, I mean as regards its exhaustibility? (*A.*) It would be unreliable, because you may exhaust it; but it would be reliable for a large supply of water."

Mr. *Rickards.*] "Very large," is it not?

Mr. *Holland.*

788. Yes; I beg your pardon. (To the *Witness*): At any rate he says it would be unreliable, does not he?—But available for a very large supply of water.

789. Yes. At any rate upon that you think there is sufficient to go to Rickmansworth, do you?—Speaking generally, I think the evidence shows that the Rickmansworth district has a large quantity of water which might be available for the supplementing of the London supply.

790. I see he says three million gallons a day for a chalk well would be a very large volume of water?—One well, that is.

791. Do you know how many wells you intend to make at Rickmansworth?—That is not provided for, of course, in the Bill. That would depend upon the Water Trust.

792. I want to ask a few more questions about this Rickmansworth Company. Do you know that since you, or Mr. Grover, we will say, has persuaded you, or, to use your own words, advised you?—Those are not my words.

793. Advised you, I corrected myself. I said since he has advised you, to use your own words, they have issued some new capital, or tried to?—No, they have had a final call, I believe, of 1 *l.* a share.

794. No, excuse me, they have tried to issue some more capital. I dare say they have not been successful?

Mr. *Rickards.*] Mr. Grover is coming, and as the engineer to the company he can answer these questions much better than Mr. Wilkins.

Mr. *Holland.*

795. Indeed he cannot. (To the *Witness.*) I want you to tell me whether you know that they have used the fact that you have embraced them in the scheme as an inducement to subscribe, that is to say, your intention to put in the Rickmansworth Company?—No, I do not.

796. Have you any experts on your committee?—What do you mean by "experts"?

797. I mean experts in water supply?—Engineering experts?

798. Yes, engineering experts, amongst others?—I do not call to mind any engineering expert.

799. Have you on that committee any gentleman who has ever had anything to do with any of the water companies in any capacity?—With regard to management do you mean?

800. In any capacity?—No, I do not know that we have.

801. Have you had any investigation as to what would be the effect upon Watford (which is a town, of course, as you know, close to the Rickmansworth district) if you took such a great supply from Rickmansworth with the view of supplying London?—The district of Watford, of course, is a very watery area, if I may use that expression. There is a large quantity of water there.

802. Have you had any inquiry about it?—No. Inquiries, you see, into the water question of London have been proceeding for 60 or 70 years.

803. Have you any idea that at this moment all the wells of Watford are lower than they have been for years, that there are three companies

Mr. *Holland*—continued.

taking water already from the Watford district?—That might result, of course, from an exceptionally dry season.

804. For years past they have been getting lower?—No, I did not know that. I am not an engineer.

805. Then we may take it that this Rickmansworth district has been taken by you without any inquiry as to the effect upon the districts just outside the Rickmansworth district?—"Without inquiry"?

806. Without inquiry?—As, for instance, Watford.

807. As, for instance, Watford?—Yes, you may say that.

808. This is the last question. A difficulty occurs to my mind about this Rickmansworth district. It is a rural district, as you know?—Yes.

809. Do you know how many houses are supplied with water?—I know the population is not very large.

Mr. *Rickards.*] Mr. Grover could really give you these figures better than Mr. Wilkins.

Witness.] I could not answer, with any reliability, these questions.

Mr. *Holland.*

810. There are a lot of people who live in that Rickmansworth district who are not supplied with water at all, are there not?—Yes.

811. Country houses that have come into your area. They will all have to pay rates, will they not?—Only if the revenue is insufficient to pay the expenses.

812. Only if what?—Only if the revenue is insufficient, if the water rentals and the other sources of revenue of the Trust are insufficient.

813. Surely everyone in every district that you embrace will be rated?—That is not the proposal.

Mr. *Rickards.*] They will only pay water rates if they are supplied with water.

Mr. *Holland.*

814. Only if the rates are insufficient. If the rates are insufficient, at any rate, they would have to pay; that is, without having any water supply?—Yes; but I think that is a very remote contingency.

815. It is a fact?—It is a fact.

816. That though they may have no water they would have to pay rates?—I hardly like to put it in that way, because a public supply of water is a public good.

817. Not if you do not have it?—Yes, it is.

818. Not in the country?—Yes, in the country.

819. Is it really?—Yes, for flushing purposes, and so on.

820. But there is nothing to flush. What do you flush in country houses?—I beg you pardon, the small towns would be watered, the streets would be watered, and so on.

821. I am talking of the country houses. A gentleman lives ten miles from a town, say, Rickmansworth. What advantage is he going to get from the water?—I do not see how it is possible

Mr. *Holland*—continued.

possible to exempt individual cases from the general application of the principle. That must be my answer to that.

822. Want of principle, you mean?—No, I mean principle.

Mr. *Clarke Williams.*] I appear for the West Kent Main Sewerage Board, which is a Parliamentary body having jurisdiction and rating powers over practically the whole of the extra metropolitan part of the Kent Company's district. I adopt, Sir, all the cross-examination of my learned friend Mr Meysey Thompson. There is just one other point I wish to put to the witness.

Mr *Rickards.*] Is it "Main Sewerage" or "Main Drainage"?

Mr. *Clarke Williams.*] The West Kent Main Sewerage Board.

Cross-examined by Mr. *Clarke Williams.*

823. You propose under your Bill to take a monopoly of supply?—Subject to certain restrictions.

824. Therefore if it ever becomes necessary to make a new supply for London you will have the power to rate the whole of your proposed dictrict for that new supply?—Of course that would depend upon the special Act authorising the new supply.

825. But you propose now to take that power?—No.

826. To take the monopoly, I mean?—To take a monopoly, but I do not see how it would be possible to set up a new source of supply without coming to Parliament for compulsory powers of purchase. Then of course it would be open to Parliament to put any restrictions upon the Trust that they pleased.

827. But you propose now to include the whole of this extra-metropolitan part of the Kent Company's district in your area?—Because it is part of the metropolitan water area.

828. It would follow, therefore, that whatever is done for London generally would apply to that?—Subject to any special legislation.

829. Just so. As far as you know at present, at any rate, it would apply to that?—No.

830. The whole of this district has the supply at present of its own water in its own power, has it not?—Yes.

831. And are you aware that as regards the supply of the Thames it is limited by statute to 130,000,000 gallons a day?—Yes.

832. And that according to the report of the water examiner last June, they did reach a daily maximum of 100,000,000 gallons a day, or thereabout?—Yes; 95,000,000 gallons, I think.

833. So that they very nearly reached their statutory maximum?—Well, there is a margin of 35,000,000 gallons.

834. Also that the water examiner further reported with regard to the quality that it might become necessary to take the supply from other sources, owing to the fact that the area drained by the Thames is largely, or at any rate partially, contaminated not only with sewage matter, but also with manure matter, and so on, on land which is drained. You are aware of that also?—I think the best answer to that is——

Mr. *Clarke Williams*—continued.

835. I only want to ask you whether you are aware that the official water examiner has drawn attention to that point in his reports?—Yes, speaking generally.

836. Then are you also aware that for many years past there have been a great many schemes carried out more or less; I mean considered more or less in detail, for the supply of water from Welsh Lakes?—Yes.

837. From Dartmoor?—Yes.

838. And from Cumberland Lakes?—Yes.

839. And from various other sources?—Yes.

840. And that the county council this year have had a report presented to them which embodies the result of five years' inquiry, and gives in detail the whole of the schemes for carrying water from the Welsh Lakes to London?—No.

Mr. *Rickards.*] How does all this arise out of your petition?

Witness.] Five years' inquiry, you say.

Mr. *Clarke Williams.*

841. They have presented a practicable scheme?—I think you may say a five months' inquiry.

842. No, "five years"; by engineers, I mean?—The Welsh system was condemned by the Duke of Richmond's Commission on the score of enhanced expense.

843. That was in 1869?—Yes; and the death-rate of London is lower now than it was then. Two years ago the death-rate was only 17 per 1,000.

844. There is, therefore, at least a reasonable possibility, if not a probability, of a fresh supply being necessary for London within a reasonable time?—No, I do not think so; not from any distant source.

845. You do not admit it on those facts?—No.

846. If any such scheme were made, do you propose that the whole of those districts outside here which are already supplied with water should pay for that scheme?—That would depend upon special legislation.

847. As far as your Bill goes, we are included in the area, and would have to pay for it?—That would depend upon special legislation. The Bill does not deal with that.

848. It includes us in the general metropolitan area, so it follows that we should be obliged to pay rates on any scheme that became necessary. That is so, is it not?—I do not know.

849. I is so that we are included in that way, is it not?—You are included in that way; but I do not know that it follows that you would be called upon for a charge to West London.

850. You are going to equalize the charge all over London, are you not?—For the same class of supply.

851. Independently of any high pressure?—Yes, or special charges.

852. Are you prepared to give any security to Kent that they shall never have to pay a higher rate than at present for their water?—No, we cannot anticipate what Parliament may say or do in years to come.

853. Having regard to the fact that they are

Mr. *Clarke Williams*—continued.

in the position of having an abundant and pure supply for themselves?—No, I do not think it would be right to anticipate a future decision of Parliament.

854. And that in their geographical, in their political, and in their sanitary representation, and in every way they are independent of the metropolis?—Oh, no, the Kent Company supply a quarter of the county of London.

855. You are not prepared to make any exception in their favour?—No, for the reason I have given.

Mr. *Pember.*] I am told that the only one of my learned friends who has yet to cross-examine is for the City of London. My learned friend Mr. Griffiths appears for the City, but he is not here. I do not mind cross-examining on this occasion, as my learned friend is not in the room, before him; but I shall put it to you, Sir, as a matter of fairness, in a general way, that the case for the water companies should come last, and I will tell you why. They are the real defendants, so to speak, in the matter; they are the persons really attacked, and they ought not to be sandwiched in between opponents and the promoters of the Bill on the one hand, and certain opponents of the Bill on the other, either in the shape of the county council or of the Corporation of London. We are entitled to hear the whole case that is to be made against us.

Chairman.] I think that would be convenient.

Mr. *Pember.*] I do not mind doing it, without prejudice on this occasion, as no one else is here; but I claim, as a matter of fairness (and I am glad to hear you say that you approve of it), that the water companies should cross-examine last. I have not very many questions to ask, but I must ask some on behalf of the companies generally.

Cross examined by Mr. *Pember.*

856. First of all, there is a point that I do not think we have ever had really cleared up. Taking the area that you propose to cover by your Bill, how many local authorities are there altogether?—Between 80 and 90.

857. You gave us certain reasons why others held back; but of those 80 or 90, 13 at present give unqualified support to the Bill?—Yes, that is, 13 out of those in the metropolitan area.

858. And none out of the others, as I understand?—No; the others opposed principally on the ground——

859. I am not interested in the least degree as to how they oppose or why they oppose?—I think it ought to be known.

860. You have told us already, and I do not want to get it again; I merely want to get the fact that out of the total number of 80 or 90, your active supporters at present are 13. In re-examination my learned friend shall give any explanation that he pleases again, although we have had it already. In those local authorities, do you count the county council?—No, the county council, of course, have taken independent action.

861. I want to ask you just a question first of all as to these two resolutions that you called our attention to yesterday: I notice that they are rather different in tenor, are they not? For

Mr. *Pember*—continued.

instance, the first is to this effect: "That in view of the fact that the effect of the quinquennial revaluation of the metropolis now in progress will be to augment the charge to consumers for the same supply of water as is enjoyed by them at the present time, and thereby to increase by a very large sum the value of the property of the water companies, the Government be requested forthwith to introduce a Bill to enable the London county council, or some other properly representative body, to acquire the undertakings of the eight water companies now supplying London, or some of them, by agreement, or, failing agreement, to create a board of arbitrators to settle the terms of transfer by compulsory powers, or to give power to establish an independent supply." The second resolution, which is a month later, is to this effect: "That as the London county council has no power to introduce a Bill into Parliament for the purchase of the water companies' undertakings, the vestries and district boards represented at this conference be advised" (I leave out unnecessary words) "to unite in giving notice of and preparing a Bill for such purchase, and for power to set up a competing supply." As I understood from you yesterday your Bill is framed upon the first resolution, you would not think it right to set up a competing supply?—They both refer to a competing supply.

862. No, the one is alternative, "or to give power to establish an independent supply"; and the other is "to unite in giving notice of and preparing a Bill for such purchase, and for power to set up a competing supply." Of course this resolution was passed?—That was one of the preliminary things passed, and the resolution was purposely made wide. When the executive committee that was appointed in pursuance of this second resolution came to consider the matter, they came to the conclusion that a competing supply would be impossible physically.

863. Then I take it, as I said before, that your Bill is *bonâ fide* framed on the first resolution, that the first thing that the Water Trust ought to do is to buy up the eight companies?—Certainly, that is an obligation imposed upon the Trust by the Bill.

864. And in your judgment, that is a fair thing to do?—Yes.

865. That being so, I do not quite follow the meaning of certain phrases that you let drop yesterday, which perhaps you will allow me to call your attention to. The first I notice is on page 11 of your evidence; it is in answer to Question 74; the question is unimportant: "I think the intention of the committee," you say, "or rather what the committee had in view was this: That immediately after the Trust was established they would make a general enquiry into the whole of the water undertakings; they would serve notice upon one of the companies and let them go to arbitration. That case would be thoroughly threshed out, and then, before the two years were expired, the Water Trust would know better their position, and what further action to take." Do you mean by

Mr. *Pember*—continued.

by that that the result of the first arbitration might make you halt and consider whether you should purchase the others?—No; what I meant by that was, that they would know whether it was necessary to go to arbitration in each of the other seven cases, or entry into treaty for purchase by agreement.

866. That is really all you did mean?—Yes, practically one arbitration would settle the main principles at issue between the Trust and the Companies.

867. That being so, as you say, a condition precedent to any other action on the part of this Water Trust is that they should buy these eight companies; why were you not contented to take the machinery for arbitration and compulsory purchase which is afforded by the Lands Clauses Consolidation Act?—Because it would have considerably increased the expense, and increased the time occupied in arbitration.

868. Are those your only two reasons?—Those are the two principal reasons.

869. Now we will analyse those first. It would have largely increased the expense and would have taken more time?—Lead to delay, yes.

870. Why do you think it would have increased the expense?—It would have increased expense in this way: certain general principles would have to be dealt with; evidence on general principles would have to be repeated before each separate body of arbitrators.

871. Is that all the reason you have to give?—That is a very important reason I think.

872. That is only one?—And it would lead to delay, of course.

873. We are on the expense?—And it would also lead to compensation being based upon different principles to the different companies.

874. Why? The principles of the Lands Clauses Consolidation Act are the principles of the Lands Clauses Consolidation Act all the way through, and would be?—It would depend on the view the arbitrators took of certain very important questions.

875. Quite so, and is not that the whole meaning of arbitration, that the arbitrator is to express his view on important questions and decide accordingly?—We thought that to create a statutory board of arbitration would be preferable to adopting the machinery pure and simple of the Lands Clauses Act.

876. So I understand, but I want to see where the preference lies. What would there be to prevent arbitrators appointed under the Lands Clauses Act taking into consideration every possible matter that the special board of arbitration could take into consideration themselves?—We thought that one arbitration would practically settle all the principles at issue.

877. Well, why should not it if the arbitrators were chosen under the Lands Clauses Act?—I do not know.

878. No, nor do I; and that is what I want to find out?—The point of course was to get a board of arbitration that should command general respect.

879. Now we will take it step by step. I want to know why the arbitrators appointed

Mr. *Pember*—continued.

under the Lands Clauses Act would not command general respect. In the first place you may take it from me that the companies would select as their arbitrator the best man they could find; and I assume that the Water Trust would select for their arbitrator the best man they could find, would not they?—No doubt.

880. Why should not, to begin with, both those men be first class of their kind?—There is no reason, of course, why they should not.

881. Now we will take it one step further. In case they differ as to the amount to be paid, they have the power of choosing an umpire, have not they?—Yes.

882. If they do not agree upon an umpire, the umpire is chosen by the Board of Trade?—Yes.

883. Would not they also, in choosing an umpire, get the best man available for the purpose?—It is a matter of opinion.

884. Have you any reason to give why it should not be so?—Simply that the machinery proposed by the Bill is, in the opinion of the Committee, preferable to eight independent arbitrators.

885. That I quite understand; but I want to see what the reason for the preference is?—I do not know that I can give it to you in greater detail than I have.

886. We will see what it comes to. In the first place I should rather like to have an answer to my question in the meantime. Is there any reason for supposing that the arbitrator selected by the company on the one hand, and the arbitrator selected by the Water Trust on the other, could not agree upon the best possible umpire, or that if they failed to agree the Board of Trade would not find as good an umpire as could be nominated by any of the four bodies you have mentioned in the Bill?—I think it would be a manifest advantage if the eight or ten companies went to arbitration that the first body of arbitrators should take the whole proceedings through.

887. We will deal with that case; but at present we are on the *personnel* of the tribunal. We have settled about the arbitrators. Is there any reason for supposing that the umpire selected, in case of difference, by the Board of Trade, would be one jot inferior to any one that the other four bodies mentioned in the Bill would name?—Oh, no; I should not like to say that there is.

888. Now, then, as to the advantage of one set of arbitrators dealing with all the cases. I suppose there is nothing to prevent the Water Trust, at all events I will speak for the companies myself, but with regard to the Water Trust, there is nothing to prevent the Water Trust naming the same arbitrator on every occasion, is there?—You mean under the Lands Clauses Act?

889. Yes?—I am not aware of any provision.

890. And there is nothing to prevent the companies doing the same?—No, I am not aware of any.

891. And nothing to prevent the Board of Trade naming the same umpire?—No; but of course there is nothing to ensure that the same set of arbitrators should be appointed.

892. Possibly, but there is nothing to prevent it?

Mr. *Pember*—continued.

it?—There is nothing to prevent it and nothing to ensure it.

893. That is enough upon the constitution of the arbitrators and the umpire; but now why should not they proceed, whoever they are, and however selected, according to the Lands Clauses Act, and under the Lands Clauses Act?—They will, with the exception of the constitution of the board of arbitration.

894. Oh, no, that is not your Bill, you know?—The general principles of the Lands Clauses Act will apply.

895. Then it would be quite sufficient, if that is what you mean, to have a simple clause to say that they shall pay such sum as may be settled by agreement, or failing agreement, as shall be determined by arbitration under the Lands Clauses Act, if the principles of the Lands Clauses Act are to be applied. Save and except for the constitution of the board of arbitration, why did you not have a clause to that effect?—I mean the procedure. Of course there are instructions.

896. Oh, yes, "procedure;" but we said principles, I thought?—In point of procedure, I grant.

897. But you said principles; excuse me?—It is points of procedure that I intended to limit myself to.

898. Now I want to know why are the principles of arbitration under the Lands Clauses Act to be departed from?—In what respect do you mean?

899. In a great many respects; why are you not contented to take such an arbitration clause as I suggested to you just now; that the price to be paid for the various undertakings shall be a sum to be agreed upon, or failing agreement, as shall be decided by arbitration under the Lands Clauses Act?—Because we think that further questions should be considered by the arbitrators.

900. What question is there connected with any one of the undertakings which arbitrators, acting under the Land Clauses Act, not only could not but would not be bound to consider; tell me one?—They would not be bound to consider the value of the undertaking prior to the introduction to Parliament of this Bill.

901. Would not they; may I ask what else they would consider?—They would consider the value of the undertaking at the time they went to arbitration.

902. Why should they?—Because that is the practice.

903. Who tells you that?—That is as I understand the Lands Clauses Act.

904. Now, on the supposition that it is so, what difference would that make to you; you can give your notice to treat under the Lands Clauses Act the moment the Act passes?—Yes.

905. And in fact, as you are bound to give notice to treat, according to you, what difference would that make?—This provision would exclude from consideration the capital value of the additional revenue arising from the quinquennial re-valuation of property which took effect on the 6th of April.

906. Quite so. I thought that was it?—I stated so in my evidence.

Mr. *Pember*—continued.

907. Yes, I know, but that is one thing. Now would you allow allow me just to call your attention to something in your Bill on that point?—Yes.

908. Look at the words you propose to add to Sub-section 13 of Clause 14. The arbitrator is not only to take into consideration "the value of such undertakings prior to the introduction into Parliament of the Bill for this Act," but he is also to take into consideration "the adequacy both as regards the quantity and quality of the water derived therefrom, of the sources of supply from which such company takes its water, in view of the present and probable future requirements of the district supplied by such company, and the efficiency and condition of the works and undertaking of such company." Is not it fair to say that the meaning of those words is that the arbitrator is to have regard to every circumstance which may make the property less valuable in the future? Is not that your object?—Yes, certainly.

909. Now may I ask, if you think it fair, that the arbitrator should have regard to every circumstance which may make the property less valuable in the future, why is it not also fair on the side of the waterworks companies that he should have regard to every circumstance which might make the companies' property more valuable in the future?—Because the question of the probable increase in the value is simply problematical, and could not be reduced to any mathematical precision.

910. Is that the only answer you have to give?—I think it is a very good answer.

911. You do? There is no accounting for taste of course. But it does come to this, and I do not think you can get out of it, but do if you can pray, that the arbitrator is to take into consideration every circumstance which may depreciate the property in the future, but he is not to take into consideration one of the main circumstances that might enhance the value in the future?—No, we are to buy them as undertakings, and not as revenue making concerns. That is the principle.

912. We now understand your meaning, in fact, you provide for prospective depreciation, but you decline to admit the plea of prospective and possible enhancement?—Yes, possible enhancement.

913. And that you think fair?—Yes, I do not think there is anything unfair in it.

914. I should like to ask you just one or two more questions on the subject of your evidence yesterday. I noticed that you said this, talking of the arbitrator?—Will you refer me to the page, please.

915. Yes, I will, page 12: "You see they would be appointed under a sense of very deep responsibility, and they would act under a sense of very deep responsibility, because the issue at stake would be very large. Then they would make the declaration of the Lands Clauses Consolidation Act"; is not that true of every arbitrator that ever was appointed under the Lands Clauses Consolidation Act?—Yes.

916. Now, what do you mean by this: "And, of

Mr. *Pember*—continued.

of course, they would always have public opinion before them ready to criticise any award they might make." What do you mean by that?—I mean that they would be bound to regard the opinion of the public in estimating the value of the undertaking.

917. How do you mean "bound to regard the opinion of the public," apart from the evidence that they might hear?—No; I mean they would be influenced in making their award by the consideration that they would be able to justify it to public opinion.

918. You are a lawyer, I think?—No, I am not.

919. I beg your pardon. I thought you were a clerk to one of the boards. At all events, then, I will appeal to you simply as a man of the world. What justifies an award, the evidence or the sentiment of people outside?—The evidence, no doubt, but you see the arbitrators are not to go upon the cost of the undertakings.

920. I did not say they were, did I?—The cost of the understakings would be 14,000,000 *l.*, and of course the present market value would be something considerably greater.

921. I did not say anything about what the arbitrators were to go upon, I only asked whether it was not right that the arbitrators should go upon the evidence they heard upon all the topics raised before them. What do you really mean, now, by "public opinion"? do you mean to say that the arbitrators in this case, whatever might be the evidence of value on one side and the other given to them, and whatever might be the result in their own minds, ought to be led by public opinion not to give effect to the evidence, but to give effect to the fear that if they did give effect to it they might offend people outside? No.

922. What did you mean?—What I said, that public opinion is a factor which must be counted with.

923. Must it?—And in making their award the arbitrators would be influenced by the consideration that they would be able to withstand any criticism which might be directed against their award.

Mr. *Rickards.*] Increase their responsibility.

Witness.] Increase their responsibility.

Mr. *Pember.*

924. Mr. Rickards, your witness can take care of himself, you know; even better, perhaps, than some of his assistants. (To the *Witness.*) Would you mind telling me whether you mean to go this length: Suppose that the arbitrators, sitting and hearing all the evidence before them, came to the conclusion (I will take any arbitrary sum) that the real value of these undertakings was 50,000,000 *l.*, do you mean to say that they ought to give less than 50,000,000 *l.* on account of what you call "public opinion"?—Not if that is the real value.

925. Then, if you do not mind my saying so, I fail to see what you mean by "public opinion"?—What I mean is this: that they would act under the responsible feeling of having to be able to justify their award, not only to professional people but also the public.

Mr. *Pember*—continued.

926. Do not all arbitrators feel themselves in the same position?—I do not know.

927. Do not you think so?—I do not think so, because the great majority of the public are not concerned with the great majority of arbitrations.

928. They were concerned in the amount paid for the bridges?—You have got a population here of something like 6,000,000.

929. I daresay you have. That is no reason why they should have the waterworks companies' undertakings for less than they are worth, is it?—We do not propose they should.

930. Then why cannot you come under the Lands Clauses Act, once more I ask?—That is a question of drafting.

931. Only "drafting." I will soon mend it if that is all. Now let me take you to another matter. We will suppose now your board of arbitration started. In the first place, is not four an inconvenient number?—I do not think so.

932. You see it gives a casting vote?—Yes.

933. That is a very vast preponderance to one gentleman out of four. However, you do not see any disadvantage from that. It is not a thing we need labour?—No.

934. Now I want just to ask you this: supposing that you had one arbitration (under this Bill mind), and supposing you did not like the result, that the result was what you call unsatisfactory; On page 29 of your evidence you say this, it is in answer to question 385: "They will have competent advice as to the condition of the works, and so on, of the various undertakings; they will carefully select for the purposes of arbitration or agreement one of thoses undertakings." What do you mean now, to begin with, by carefully selecting one of the undertakings?—What I had in view was this: they would select an undertaking which raised the most general question. For instance, I should imagine the Kent Company would not be the first they would take, because there are peculiar things there.

935. Let us go on a bit: "They will have that case very carefully considered and argued before the board of arbitration; on that first case the general lines of the award will be laid down." Now this is what I want to call your attention to: "The award will be made in due course" (that I think we do not want anybody to tell us), "and if the affair is satisfactory, they will go on with others." That is to say, if you get such an award as you like?—No, I did not mean that.

936. What did you mean?—What I meant was what I have said, that when the first arbitration award was made they would then consider whether they should go on with arbitration in the other cases, or whether they would treat by agreement.

937. That is all? Now, supposing they treat by agreement, and supposing there is a disagreement, what then?—They would have to go to arbitration.

938. Then they cannot help themselves?—No.

939. Now, let me put to you Question 392: "Therefore the indefinite period you are dealing with." You had said previously that you must give the notice within a definite period, and

Mr. *Pember*—continued.

complete your purchase within an indefinite period. "Therefore the indefinite period you are dealing with might, if the water companies so desired, become very definite, namely a few weeks after the service of the notice." I notice that the question which my learned friend seemed to put to you, you did not answer exactly. You said, "It would depend on the length of the arbitration. But supposing in the course of the first arbitration it became necessary to apply to Parliament to confer further powers on the arbitrators, you see two years would allow of an interval for any amended Bill, although that is not anticipated"?—Yes.

940. What further powers would you contemplate the arbitrators getting?—We cannot anticipate until the Bill comes actually to be worked out. As I say, I do not anticipate that any further powers will be wanted.

941. But supposing the affair was not satisfactory, supposing the arbitrators, after taking everything into consideration, made an award which you thought a good deal too big. Are you quite certain that you would not be tempted to go to Parliament and try to tie their hands a little. Further?—I do not think Parliament would give us powers to that extent.

942. I do not think they would either; but I do not know whether you would not try?—I do not know. That, of course, would depend upon the principles adopted.

943. Supposing the notice to treat is given to a vendor whose lands are compulsorily taken, or whose property is compulsorily interfered with under the Lands Clauses Consolidation Act, I daresay you know that if within a certain number of days after the service of the notice the company does not proceed to purchase, the vendor can give notice of arbitration, and take the company to arbitration at once to have the compensation settled?—Yes.

944. Which compensation then becomes a debt?—Yes.

945. Where is the provision in the Bill to enable the companies to force on an arbitration? I know that the notice to treat must be given in two years, but that is a notice to treat, not under the Lands Clauses Act, but under this Bill, you know?—Quite so.

946. Now where is the clause which would enable the companies, after the notice to treat was given within a reasonable time, to insist on the arbitration going on, to take you to an arbitration?—Page 6, Sub-section 3.

Mr. *Rickards.*] If you will look at Subsection 3 of Clause 13 of the Bill, you will see that, except where expressly varied, the provisions of the Lands Clauses Consolidation Act of 1845 shall apply to the arbitration.

Mr. *Pember.*

946.* Now let us read: "The arbitrators appointed under this Act shall be deemed to be arbitrators within the meaning of the Lands Clauses Consolidation Act, 1845, and the Acts amending the same, and the provisions of those Acts, except so far as they are varied by this Act with respect to an arbitration (but not such as relate to an umpire), shall apply accordingly; and, further, the board of arbitration may state a special case, and shall have power to disallow as costs in the arbitration the costs of any witnesses whom they consider to have been called unnecessarily, and any other costs which they consider to have been incurred unnecessarily." Does not that occur to you. I do not appeal for the moment to my learned friend, but does it not occur to you that those arbitrators are to be considered arbitrators under the Lands Clauses Act after they are appointed?—Of course they could not be considered arbitrators until they were appointed.

947. So I think. You seem to have a quicker insight than my learned friend; but does it not also occur to you that that clause in the Lands Clauses Act which I referred to is a clause giving a certain power to compulsory vendors (if I may use the expression) incident to the appointment of an arbitrator?—I think this will meet it.

948. Where?—"And the provisions of those Acts, except so far as they are varied by this Act, with respect to an arbitration (but not such as relate to an umpire), shall apply accordingly."

949. Quite so. That is only so far as procedure (as you said yourself) by the arbitrators go.

Mr. *Rickards.*] No.

Mr. *Pember.*] Do not say "no" quite so positively.

Mr. *Rickards.*] The words do not bear that construction.

Mr. *Pember.*] Excuse me; I think they do.

Witness.] That is not the intention.

950. Suppose we were ever to get so far, you would have no objection to take care that such a remedy as you mean in the case of delay, the power and forcing on the Water Trust to an arbitration, should be given to the companies?—I think that is meant by those words; at any rate that is the intention.

951. Never mind whether it is or not; you have no objection to make it clear?—No, none at all.

952. You had no other reason than those you have given for avoiding, so to speak, an arbitration under the Lands Clauses Consolidation Act pure and simple; I want to hear everything?—No, I think I have given all the reasons that I can.

953. I just want to call your attention, as you have said that, to one other thing that we consider a reason for not departing from the Lands Clauses Act. To begin with, you would not deny that the Water Trust are in the position of compulsory purchasers; they are the aggressors in the matter. The companies do not want to be bought at all. They want to be let alone. You admit that, I suppose?—Yes.

954. Are you aware what the provision is as to costs in the Lands Clauses Act?—I think the costs are in the power of the award of the arbitrator.

955. Are they? Now, just let me enlighten you a little on that point. It is Clause 34 of the Lands Clauses Act: "All the costs of any such arbitration and incident thereto, to be settled by the arbitrators, shall be borne by the promoters of the undertaking" (those are the purchasers), "unless the arbitrators shall award the same or a less

Mr. *Pember*—continued.

less sum than shall have been offered by the promoters of the undertaking, in which case each party shall bear his own costs incident to the arbitration, and the costs of the arbitrators shall be borne by the parties in equal proportions." Now, was that your idea?—Well, you see, Sub-section 9 of that same clause deals with that.

956. Would you mind sticking to the point.

Mr. *Richards.*] Let him answer the question.

Mr. *Pember.*

956*. That is what I want him to do. If he would only answer my questions I should be perfectly content. (To the *Witness.*) I will venture to ask you once more. We are getting on very peaceably, if my learned friend will only control himself. Was that your idea of the provision as to costs, that which is contained in the Lands Clauses Act? Did you know that that was the provision; that is to say, what I have just read to you?—I do not know that I have given any special attention to that.

957. Let us see if you and I together can just arrive at what seems to be the principle involved in that. Would not you say that the principle there, in a general way, was that unless the vendor has shown himself unreasonable, the costs attending his purchase should be borne by those who, so to speak, have attacked him? Does not that seem to be the principle of the clause, unless he has shown himself unreasonable?—Not the expenses of the arbitration.

958. Let us see. "All the costs of any such arbitration and incident thereto shall be borne by the promoters" (those are the persons whom I have called the "aggressors") "of the undertaking, unless the arbitrators shall award the same or a less sum than shall have been offered." I say again, does not that look as if the principle of the clause was that unless the vendor had shown himself unreasonable, the costs ought to be borne by those who forcibly take his property?—No doubt.

959. Why should not that be the case here?—We propose to meet that by the 9th Sub-section of this same clause.

960. Let us see if you have met it?—There we propose that the Water Trust shall bear the whole costs of the arbitration.

961. Let us read that: "There shall be paid"; is this what you mean, Sub-section 9?—Yes, Sub-section 9.

962. "There shall be paid to any officer or person apppointed or employed under this section such salary or other remuneration as the Local Government Board may assign. The remuneration of the members of the board of arbitration, and of the officers and persons appointed by them under this section, and all expenses of the members of the board of arbitration incurred with the approval of the Local Government Board, shall be paid by the Water Trust out of money to be raised for the purposes of this Act"?—Yes. You see that does not follow "the event." In any case the Water Trust are to pay the expenses of the board of arbitration.

963. Quite so, but that is not the costs of the arbitration itself?—It is a very material point.

964. Once more, that is not what is covered by Clause 34 of the Lands Clauses Act, which is

Mr. *Pember*—continued.

that all costs of any such arbitration, and incident thereto, are to borne by the promoters?—Then I must refer you back to Sub-section 3. There is a power to disallow as costs in the arbitration the costs of any witnesses whom they consider to have been called unnecessarily. It would follow from that that if the witnesses had not been called unnecessarily, the costs would follow the event.

965. Why in this case should the general rule as to costs be departed from? Why, for the first time, are the water companies to be treared in a different way from all other compulsory vendors, in this matter?—Merely as a matter of convenience, I think.

966. "As a matter of convenience." It is uncommonly inconvenient to them; if you do not mind my saying so. It is convenient to you, I daresay. But why should they be treated in a different way to other people; what have they done?—As I have said, probably the first arbitration would settle the whole question of principle at issue.

967. What has that to do with it? If that is so, all the more reason for leaving the costs clause where it is?—I think that is so under the third sub-section.

968. Is it? Are you under the impression that the third sub-section of that clause leaves the matter of costs where it was left by the Lands Clauses Act?—Practically.

969. Then should you object to take the Lands Clauses Act again upon that point?—I cannot answer that question.

Mr. *Richards*] I am in charge of, and responsible for the Bill; and I do object to accept the Lands Clauses Act.

Mr. *Pember.*

970. It is all very well for my learned friend to jump up and say he is responsible for the Bill, but there is such a thing as the motives of the promotors: and the Promotor in the Chair says he is under the impression that sub-section 3 and sub-section 9 of Clause 13 leave the matter of costs practically where it is under the Lands Clauses Act. (To the *Witness.*) Is that your intention?—Costs properly incurred.

Mr. *Richards.*] These are matters of argument, really Sir. The witness is not a lawyer.

Mr. *Pember.*] It is not a question of law at all.

Mr. *Richards.*] It is a question of law.

Mr. *Pember.*

971. There again there is something else to be said; but would you kindly turn over the next page of your Bill (the top of page 8) and see what is the effect of Sub-section 13?—Yes, I have it.

972. Now we will see whether this varies the Lands Clauses Act or not. "The costs of attending any inquiry and award under this Act shall be borne and paid by the parties in such proportion as the Board of Arbitration may direct, and the Board may order the taxation of any costs in such manner as they may see fit." Is that any variation from the Lands Clauses Act?—It is a variation; for a very good reason.

Mr. *Pember*—continued.

973. That may be?—As I have said, the first arbitration will probably settle the whole question at issue, and the board of arbitration will probably say, or may say, at any rate, that inasmuch as all the water companies have been dealt with under the first arbitration, the Water Trust shall bear the whole costs of the arbitration, or the greater part.

974. Some animals are said to be liable to fly, but they are not very likely birds. Once more I say, if they are likely to say that, all the more reason for leaving the matter under the Lands Clauses Act. Why do not you?—Well, I differ.

975. I daresay you do. There are one or two matters of detail that I want to ask you about; they are mere matters of detail; and, Sir, if I go with this witness into these matters of detail, I hope I shall not be misunderstood by the Committee. I do it in obedience to what I understood them to have decided practically, that is, that they consider the question of the formation of a Water Trust a foregone conclusion, that is to say, a Water Trust of some character or other. We object to the Bill, and should be very glad to be let alone; but carrying out that idea of yours, so far as we can carry it out in our own minds to a conclusion, we feel bound to discuss the details of this measure.

Chairman.] I do not think you can well avoid it. The Bill is a Bill, to a great extent, of detail, because it deals with the composition of a public representative authority, and the powers of it, and the method of dealing with the companies, that constitutes the bulk of the Bill; therefore, I do not see how you can avoid dealing with the details.

Mr. *Pember.*] The only thing I was afraid of was that you might think that I was occupying a great deal of your time with these matters of detail; and I am glad to hear you say that I must deal with them.

Chairman.] There are some details which I think you might omit; but that is a matter which we leave in your hands.

Mr. *Pember.*

976. Quite so, Sir, and I will omit some matters of detail. I think I have only got four or five of such matters that I want to call the witness's attention to. (To the *Witness.*) With regard, for instance, to Section 14, you told us yesterday what you meant by stocks at varying rates of interest?—Yes.

977. I am only, I think, just concerned to ask you this: should you consider that under a Bill, supposing that any number of shareholders of the water companies take the Water Trust Stock, or Water Stock, or whatever you call it, say that it was stock calculated as though it were bearing interest at 3½ per cent., you were entitled under that clause to forcibly convert that stock of theirs, say, into 3½ per cent. stock?—No, not under that clause.

978. That you are quite clear about?—Yes.

979. Then I think we will not trouble ourselves much further about that; but I want to ask you this, which is rather a question on the other side: of course you may be astounded at the very hypothesis, but there it is, and under many circumstances we think a very likely one: suppose that a large section of the shareholders will not take the stock at all, how are you going to find the cash in that event? Of course you know, without prejudicing you or myself, it must mean several millions of money and a great many millions of money?—I think, having regard to the triple security, the bulk of the shareholders will take the stock.

980. But suppose they do not, or suppose they cannot?—Then we shall have to go to the market of course.

981. As I hear a gentleman on my right here say, and it is not a very unlikely thing to happen, Supposing there are awkward times for money at the moment when you have to pay a large amount of this purchase money, what then? Some one (I think it was an honourable Member) said very pointedly yesterday, Suppose a disturbance in the Balkans; that might seriously affect the matter.

Mr, *Rickards.*] "Consols."

Witness.] "Consols" that was.

Mr. *Pember.*

982. I know it was Consols, but upon my life if it affected Consols I think it might affect this Water Trust too. I should not like it myself. (To the *Witness.*) However, supposing money were tight and that you had to find some millions of cash?—We should of course have to take our chance of that, as other bodies have to do.

983. I should not mind that a bit if you only had to take your chance, but unfortunately I have got to take my chance also?—I do not think so.

984. Surely the recipient of the money has to take his chance?—It would not matter to you on what terms the Water Trust raised their money if you took cash.

985. No, but it would matter to me very much if they could not raise the cash?—They would be bound to do it, it would be merely a question of price.

986. No doubt they would be bound to do it, a great many of us are bound to do a great many things that we cannot do?—There would be no impossibility of raising the money; it would be a mere question of cost.

987. What do you mean now for instance by that proviso to Clause 15, which is, to put it shortly, to this effect: that on the receipt by any of us (the companies) of a notice in writing, prescribed by the Act, a notice to treat, we are to send to every shareholder in the company, "a circular setting forth the effect of such notice, and the proposed acquisition by the Water Trust of their undertaking and requiring such shareholders in case any of them shall be unwilling to accept consolidated water stock in lieu of their shares or other interest or any portion of the same in such company, to give notice in writing within one month to the Secretary of such company of their unwillingness to accept consolidated water stock, and thereupon the directors are to inform you of the amount of cash they want, and the cash is to be handed over." Of course you know that there are a very great many thousands of shareholders living

Mr. *Pember*—continued.

living in all parts of the world; how are we or how are you to make sure that in a month, or six months, you could get an answer to all the necessary letters?—The shareholders would be aware of this Bill if it becomes law.

988. Why should they? Supposing a gentleman is yatching in the Pacific Ocean?—I should take it that that would be a very rare case.

989. I do not suppose there would be a vast number of such cases; but cannot you conceive that it may take a great deal more than one month to get a definite answer on that point from all the shareholders, and a great many of them are trustees.

Mr. *Rickards.*] It is not a vital point of the Bill.

Witness.] The one month could easily be extended. If that is a matter of difficulty it is a matter of detail that could be easily amended.

Mr. *Pember.*

990. I am quite aware there are many matters of detail that could easily be amended?—Yes, no doubt there are.

991. Now let us go to something else. My learned friend Mr. Bidder did not ask you, but as a matter of fact, do you know that the New River Company have got no register of shareholders at all; did you know that?—Of the original shareholders do you mean?

992. Oh no, shareholders in the bulk of their property, the bulk of which is real estate?—Yes, the bulk of it is, but they have a register of shareholders with regard to their debenture stock.

992*. But we are talking of the shareholders now, you know, not the debenture holders. Did you know at the time you drew this Bill, with all its detail, which you say may require amendment, that the New River Company have no register of shareholders at all?—I presume they have some means of reaching their shareholders.

993. Did you know at all that they have no register at all?—I do not know what the internal management of the company may be, but you may rely upon it that the shareholders receive their dividends pretty punctually, and that there must be some means of reaching them.

994. Is it within your knowledge that they have any means whatever of reaching the persons interested in the New River shares?—If they have the means of reaching them to pay their dividends, they must have the means of reaching them for other purposes.

995. Does that follow?—I should think so.

996. Supposing, for instance, they know that a dividend is payable to a person who is tenant for life of a share, or a portion of a share, how are they to know who the reversioners are?—I think the Settled Estates Act would deal with that.

997. How would the Settled Estates Act give Mr. Hollams, for instance, the least idea who were the reversioners of any settled shares of the New River Company? You have not considered it; that is the shortest answer, is it not; is not that the shortest answer?—Of course I do not know the internal management of any of the companies.

998. You have not considered it, why cannot you say so? There is nothing to be ashamed of in it, why cannot you say that you have not considered it? It is a fact, is it not?—Of course, as I say, there is nothing that I could consider, because I am not aware of the internal management of the companies; but I repeat that if the directors can reach the shareholders to pay their dividends, they can reach them for other purposes; and the incidence of this stock would of course follow the settlement.

999. Is there any option for the debenture holders and preferential shareholders to take cash?—I think not.

Mr. *Rickards.*] They are to have that security.

Witness.] They are to have a preferential security.

Mr. *Pember.*

1000. Then you could not have been thinking of them when you framed Clauses 15 and 16, could you?—They may take, of course, the consolidated water stock only for their debentures or preferential stock.

1001. You could not have been thinking of debenture stock holders or preferential shareholders when you drew Clauses 15 and 16, because the ordinary shareholders are the only persons who are to get cash?—Clause 15 deals exclusively with the ordinary shareholders.

1002. Then do not take me off upon debenture holders or preferential shareholders, because those were not in your mind when you framed the clause?—Only you said the New River Company have no register of shareholders at all.

1003. Nor have they. Now let us go to this: how are you going to preserve the priorities of these debenture holders and preferential shareholders? I am bound to consider them because they are my constituents?—The priority is preserved here.

1004. How?—This undertaking, when it once passes into the hands of the Water Trust, will be one entirety, one whole. This continues the existing schedule of debenture holders.

1005. If you will kindly listen and answer my questions step by step, you will see that that is no answer at all. This undertaking, or rather these eight undertakings, will become one undertaking in the hands of the Water Trust, will not they?—For some purposes.

1006. You say, "for some purposes"; how are you going, we will say, to give their present particular security, their present especial security, mind, and their especial priority to the debenture holders or preferential shareholders in any one company?—They would have the same rights in respect of the Water Trust, in respect of the one undertaking, as they would have against the undertaking of a company.

1007. By "the one undertaking" you mean the whole undertaking?—No; the one undertaking.

1008. Are you going to keep separate accounts of every undertaking?—No separate accounts would be required.

1009. If there are no separate accounts, how are you going to hypothecate the revenues, say, of the East London Company or the Grand Junction Company to the debenture stock holders or the preference shareholders of the

Mr. *Pember*—continued.

Grand Junction or the East London Companies?—They would simply retain their existing rights, their preferential rights, in the event of the Water Trust making default.

1010. How can they? How are you going, say, with the revenues of those two particular companies, or the revenues derived from the districts which have been the districts of those two particular companies, or the undertakings which have been the undertakings hitherto of those two particular companies, how are you going to provide that all that revenue is allocated in the first instance to the payment of the stockholders or the preferential shareholders in these two particular companies?—There would be no difficulty at all in that if it should be necessary; but I do not think it will be.

1011. All you can say is that it would not be necessary in your judgment. I suppose you want to provide for the security?—The security is provided for.

1012. How can it be provided for if you do not keep separate accounts?—In the ultimate result, in the event of the Water Trust making default, the debenture holders would possess the rights of debenture holders that they now have against the company.

1013. Against what; the company would be gone?—They would have it against the Trust.

1014. So would the debenture stockholders and the preferential shareholders of every other company?—The clause is very clear, I think: "Shall as against the Water Trust hold the same security."

1015. How is it going to be enforced?—I do not think that occasion will ever arise to enforce it.

Mr. *Rickards.*] I think I can explain it.

Mr. *Pember.*

1016. I would rather you did not. I want to see how this Bill (which was brought to us yesterday with such a flourish of trumpets, and the statement that every clause had been carefully considered) has been "carefully considered"; I do not want to have your gloss upon it. (To the *Witness.*) You cannot say? Of course the revenues, as you say, of all these eight companies when they are purchased will become one common fund?—There will be no difficulty in keeping them apart, of course.

1017. There is no provision in the Bill for it?—No, there is no provision in either direction.

1018. And unless that were done it stands to reason (you and I need not fight long over a thing of that sort) that there is no possibility of maintaining the special position with regard to the priority of the debenture holder or the preference shareholder of any company?—Oh, yes, there is.

1019. How?—Under the 11th Sub-Clause of the 13th Clause: "The Board of Arbitration shall distinguish in their award respecting any of the scheduled companies the amounts of compensation payable in respect of each class of shares, stock, or mortgages respectively of such company." Supposing, for instance, you take the Kent Company, and their debenture stockholders represent a twentieth part of the capital

Mr. *Pember*—continued.

value of the combined undertaking, that would be a preferential right over one-twentieth part of the combined undertaking.

1020. Suppose they did, suppose such gentlemen as those who might be in the East London said, "I would prefer one-twentieth preferential security over the revenues of what used to be the East London, to a similar priority over the general revenues of the whole undertaking," he would not have that special position kept him, he cannot have it?—I am not sure that he would not.

1021. If you are not sure (what we want is to be sure), where do you find that he will?—We have excellent precedent for this 17th Clause, because it is taken from Lord Cross's Bill.

1022. I have nothing whatever to say about "precedent." You may have the very finest precedent, as you call it, for the clause, but that would not alter the operation of the clause?—I believe that clause met with the favour of the water companies in 1880.

1023. What on earth has that to do with it?—Therefore, I presume, it would be sufficient in 1891.

1024. Do you. A great many things have happened since 1880, you know. Is that all you have got to say on the point?—I think I have answered your questions.

1025. Do you; very well; that, at all events, is another way of saying that that is all you have to say about it?—No; I am quite prepared to answer any further question.

1026. I mean on that point?—On that point I think I have met you

1027. Very well, all right, if you think so; there is no accounting for difference of opinion; but, if you will excuse my saying so, up to this time I cannot see it. Perhaps that is my fault; we will see. Your Water Trust will be composed mainly, will it not, of consumers of water?—The Water Trust.

1028. Yes, the Water Trust; who is to elect; will not the consumers of water elect?—The county electors will elect.

1029. And they, I suppose, in the main, will be the consumers of water?—Yes, they will be the consumers of water; I have no doubt they will.

1030. And their object will be to get the water as cheap as possible?—No doubt.

1031. I mean this: the tendency rather will be to reduce water rates or water rents, and, perhaps, even to the extent of going on the local rates in case they should be made insufficient?—I do not think so.

1032. Just let me see whether your confidence is well placed. Rates, the ordinary local rates, are levied on a vast amount of property that does not consume water; is not that so?—No, I should think not.

1033. For example, docks, manufacturing and other premises, premises of that kind; there is an enormous amount of property rated through the metropolitan area surely that does not consume water?—Special properties like that there may be, yes. I was thinking of the general public.

1034. Now, I want just to ask you a question

or

Mr. *Pember*—continued.

or two (I am bound to do it) before I sit down, as to how you deal with the question of compensation to officers and servants?—We have adopted the Government Superannuation Act of 1859.

1035. Not entirely I think. Now turn to Section 35?—Yes, I have it.

1036. Or rather Section 36, I think it is. Of course there are engineers and secretaries (we will take those as two specimens) of eight different companies?—Yes.

1037. Without mentioning any names, I have got a couple of instances before me, but I shall not mention their names. Suppose that there is a Mr. "A.," who is an engineer of one of the principal water companies, and say that he was appointed nine years ago, at the age of 33, and that he gave up a valuable appointment in the country to take this appointment, which he might well think was a permanent one, in London; he is now 42; do not you think that any man's chance of being permanently employed is very much lessened by his being cast loose on the world at the age of 42?—No doubt, and I should have no objection at all to insert a provision giving the Water Trust power to deal with special cases, following the principle of the Local Government Act, with power of appeal by any person aggrieved, to the Local Government Board or to the Board of Trade.

1038. We want a little more than power to appeal; power to appeal would not take a man out of the four corners of the Act. I want to know whether you think it a fair thing; supposing a man got 600 *l.* a year, we will say, and had been in possession of it for nine years, under your Clause 36, he would get, would not he, a half of his salary, minus one sixtieth, for all the years he had served under 18, that is minus nine sixtieths (you can tell me if my arithmetic is wrong). Such a gentleman as that would only get 200 *l.* a year, supposing his office had been worth 600 *l.*?—For 13 years' service?

1039. No, I did not say 13, I said nine; he would get 200 *l.* a year, would not he?—£.210, yes.

1040. £. 210?—£. 210 a year.

1041. I am bound to own that I did make it 210 *l.*, but I said 200 *l.* for round figures. I will come to another case: supposing a gentleman at the age of 52 was appointed to an equally good situation as secretary, and had been eight years, and consequently now was 60 years old; do you think it would be fair to turn him adrift upon a somewhat less pension even than that, at the age of 60 years?—Do you mean coming fresh into the service of the company as secretary?

1042. Well, he had been eight years in the service at the age of 60?—Eight years in the service of the company.

1043. At the age of 60 he is not likely to get another place, you know. Do you think it fair to turn him adrift with 200 *l.* a year or less?—I think a special case like that might fairly be met by a provision in the Bill.

1044. However, you have not considered what that provision should be. I want also this: supposing the Water Trust did appoint one of those officers, and afterwards found that they did not like him, and dismissed him, he would not be entitled to any pension at all, would he, under the Bill?—I think so.

Mr. *Pember*—continued.

1045. Where?

Mr. *Rickards.*] Look at page 24, the bottom paragraph.

Mr. *Pember.*] "Provided always."

Mr. *Rickards.*] No. "If the office"; page 24.

Mr. *Pember.*] I am reading from page 24, the bottom paragraph, which is this: "Provided always that the retiring allowance to such officer or servant shall in no case exceed the amount of his annual emoluments at the time of his retirement or removal."

Mr. *Rickards.*] I mean the whole of that paragraph, not the proviso.

Mr. *Pember.*] "Subject as in this section mentioned with respect to the secretaries and engineers of the companies, if the office or situation held by any existing officer, or existing servant in receipt of a salary is abolished by the Water Trust, or if any such existing officer or servant is at any time retired or removed by the Water Trust."

Mr. *Rickards.*] "Removed by the Water Trust."

Mr. *Pember.*] I should hardly expect that from you; you do not mean to say that means that they take him into their service first and then dismiss him.

Witness.] I think the 36th and 35th Clauses taken together would provide for that.

1046. Is that intended?—Yes, certainly.

1047. Is he to have the pension after dismissal?—Subject to good conduct.

1048. Suppose you said, "The man does not suit us," and you dismiss him, as one is entitled to dismiss a secretary or engineer, on the ground that he does not suit (he might not suit you, you know), and you dismiss him after three years' service, we will say, surely you do not mean to say that Clauses 35 and 36 would give that gentleman a pension?—Not if he were dismissed for misconduct.

1049. But if dismissed at all?—Incompatibility of temper, you mean?

1050. Particularly on the part, we will say, of the employer?—Yes.

1051. Where is the necessity of giving him a pension?—There is no necessity imposed by the clauses in such a case as that.

1052. Do you think that fair?—Well, as I have said, I should not at all object to adopting the provisions of the Local Government Act in such cases as that.

1053. As I have not the honour of knowing what they are I cannot say anything as to that; but at all events, you think such cases ought to be provided for somehow?—Yes.

1054. Now, may I ask on this subject, why did you slide those two paragraphs from the bottom of page 25, in Clause 36, I think it is, "If the office of any of the secretaries or engineers of the scheduled companies is abolished," and so on? Those two paragraphs and the 4th Schedule are taken bodily from Lord Cross's Bill. We found it an exceedingly difficult thing to insert any figures in the 4th Schedule, therefore we have relied upon the provisions in the two preceding sections.

Mr. *Pember*—continued.

1055. How do you mean you found it difficult to arrive at figures?—I mean this: that it would have involved negotiations extending over some considerable time, and the schedule would necessarily have to be agreed by the Companies; and I am not at all sure that it would be right to pledge the Water Trust to any particular sum before the Water Trust is constituted.

1056. But it need not have been a question of negotiation; it might simply have been this: it is very easy to find out what their emoluments are; you might have settled the amount of compensation you thought fair, and it would have been for them, if the Bill came to a question of discussing clauses, to ask for a larger amount if they disagreed with it. Why should not you have kept your schedule in?—We should have no objection to restore the schedule.

1057. Very well; that deals with that?—That is if it is thought advisable.

1058. The last thing, I think, that I have to ask you about is Clause 51. Clause 51 (I am not quite clear) standing alone points to what I want to ask you; and as it involves two or three clauses we will not trouble ourselves with any particular clause unless you see fit to refer to any. I want to ask you this: at what moment are the undertakings to be handed over?—There is an earlier clause which speaks of them vesting in the Water Trust.

1059. Would you mind referring me to that earlier clause?——

Mr. *Rickards.*] It is the 8th clause, page 3, Sub-section 3.

Mr. *Pember.*

1060. "The undertaking of each company shall by virtue of this Act pass to and vest in the Water Trust at the end of three calendar months from the date of agreement for sale, or failing such agreement, from the date of the award of the board of arbitration in respect of such company. During the three calendar months intervening between such sale and vesting, the vendors of each undertaking shall be deemed to be trustees of the undertaking for the Water Trust"?—Yes.

1061. Now, "'undertaking' means in the case of any of the scheduled companies," under Clause 53, I see, "all such property, real and personal, including cash balances, reserve funds, investments, and all other interests and rights in, to, and out of the property, real and personal, and obligations and things in action, as may be in the possession of, or belonging to such company at the date of the agreement for sale by such company, or failing such agreement at the date of the award." What provision do you make for the general winding up of the affairs of these companies, some of which may be of a very complicated character?—There is a power to the company in the 48th clause: "Any of the scheduled companies may for the purpose of adjusting their obligations and facilitating the transfer of their undertaking to the Water Trust, declare a quarterly or other dividend instead of their usual dividend, and may for that purpose or for any other purpose from time to time summon on

Mr. *Pember*—continued.

such day or days as they may think expedient, general or other meetings of their shareholders, and may do all such acts as may be necessary for carrying into effect the purposes of this Act, so far as it relates to such companies or for the winding up of their affairs."

1062. Who is to do it?—The companies.

1063. I know; it is all very well to say "the companies," but who is to pay the piper; is it to come out of the compensation money?—It would simply be calling interim meetings.

1064. I daresay the directors even of water companies do not serve for nothing. I notice that some of the Water Trust, even as trustees, are going to be paid?—Three members.

1065. Are they to have all this trouble for nothing?—That must be a matter for the internal arrangement of the companies.

1066. Thank you. But I think it might be a matter for external arrangement under the Bill. Are not you aware that there will be a very great deal of business, and very troublesome business too, to transact in the way of settling the affairs of these great companies?—There may be, of course.

1067. Quite so; do not you think that ought to be provided for after a special period and by a special fund?—I do not see any necessity for it. That may be an element possibly in the amount of compensation.

1068. What might be?—That may possibly be an element in the amount of compensation.

1069. I do not see my way to that. Much as an arbitrator may do, if you will excuse my saying so, there I must draw the line. I do not see that the arbitrator could take that into consideration. You know directly the functions of the directors are over their emoluments will be over; all their cash balances will be handed over, and their powers will be gone. Do not you think there ought to be a special provision made, as I say, a special period named, and a special fund created for the purpose of winding these companies up.

Mr. *Rickards.*] Look at Clause 41.

Mr. *Pember.*

1070. I do not mind looking at Clause 41; but in the meantime I should like an answer to my question. I am much obliged to you for Clause 41. There is a little "rod in pickle" there too. (To the *Witness.*) Does it not strike you that there ought to be a special period and a special fund both, created for the purpose of providing for this troublesome and expensive winding up?—No, I think the usual practice is for a company winding up to pay the expenses of winding up.

1071. Do you; when wound up compulsorily?—Yes.

1072. Would you find me any precedent for that, that a company whose undertaking is forcibly taken from them are to pay the expenses attending their own dissolution?—Yes.

1073. You say that that is the usual thing. Do you think you could, between this and to-morrow, show us any precedent for that?—I think so.

1074. Very well then, perhaps you will try; and we will understand that if you do not bring us one, you cannot. But now there is another thing

Mr. *Pember*—continued.

thing I want to ask you. Look at Clause 41. "The Water Trust shall pay, discharge and fulfil all mortgage and other debts, liabilities and obligations attaching to the undertakings," and, amongst other things, "all unpaid dividends which may have accrued during the year next preceding the date of such agreements or awards." Now do not you know that there are standing in the books of companies like these always a very considerable amount of dividends which could not be collected, over a much longer period than one year?—No doubt there is a large amount of unclaimed dividends in the various companies.

1075. Are those to be confiscated?—They would be taken over by the trust, subject to any claims that might be established upon them.

1076. If you will excuse my saying so, that is not what the clause says. The clause says, your liability to pay them is to be limited to one year?—Yes.

1077. Is that fair?—The 53rd Clause, I think, would deal with that.

1078. Clause 41 is distinct, if you please: "And all unpaid dividends which may have accrued during the year next preceding the date of such agreements or awards"?—Yes, that is so.

1079. Now is that fair.

Mr. *Rickards.*] Now refer to Clause 53.

Mr. *Pember.*

1080. First of all, I ask you, would that be fair?—Not if it stood alone.

1081. Now let us see what it otherwise means. Clause 53 is a definition of the word "undertaking"?—Quite so.

1082. And that is said to mean, "in the case of any of the scheduled companies, all such property, real and personal, including cash balance, reserve fund investments, and all other interests and rights in, to, and out of the property, real and personal, and obligations and things in action as may be in the possession of, or belong to such company at the date of the agreement for sale by such company, or failing such agreement at the date of the award." Now are you really, Mr. Wilkins, under the impression, after the distinct enactment of Clause 41, that that definition clause of the word "undertaking," would make you liable to pay back dividends of 4 or 5 years old?—I think so.

1083. You do?—We should take over the property of the companies.

Mr. *Rickards.*] Not back dividends, technically.

Mr. *Pember.*

1084. "Technically." Do not let us quarrel about a technicality. I mean dividends which have not been claimed for four or five years. (To the *Witness*). Are you under that impression?—I was under that impression.

1085. If that impression is proved to be wrong, have you any objection to make that clear?—Subject, of course, to the claim being established.

1086. Well, naturally Not being a shareholder in one of the companies, I could hardly hope to go and claim some back dividends. There is one isolated point I want to ask you about, you told us yesterday, in those figures which you were kind enough to hand to me, that the total increase in the quinquennial year is 1,493,063 *l.*?—Yes.

Mr. *Pember*—continued.

1087. It is on page 13. "The total increase in the rateable value of the county of London" (I am reading from the answer to Question 108) "in the quinquennial valuation, subject to appeal, is 1,493,063 *l.*" Now what does that figure first of all mean: does it mean income or does it mean capital?—It means the rateable value of the metropolis.

1088. That is income?—No.

1089. It is assessable income?—It is assessable income.

1090. Very well, then it is income.

Mr. *Rickards.*] It is for income.

Mr. *Pember.*

It is assessable income.

Witness.] It is assessable property.

1092. Assessable income?—I do not call it "income."

1093. You do not mean to say it is capital value of property?—No, it is annual value of property.

1094. I thought "annual value" meant "income." However, I may be wrong. It is "annual value," if you like the term better?—Yes.

1095. That looks like "income." It is income.

Mr. *Lawson.*] It is nett.

Mr. *Rickards.*] It is not annual value.

Mr. *Pember.*] Who said it was?

Mr. *Rickards.*] But the authority levies rates; it is the basis on which rates are levied. It does not represent the value of the rates to a rating authority.

Mr. *Pember.*] No one ever said it did.

Mr. *Rickards.*] I thought you were saying so.

Mr. *Pember.*

1906. You are not paid to think about me at all events. (To the *Witness*). Now let us get on. You and I mean the same thing. It means assessable income; you use the term and I accept it?—"Annual value."

1097. Very well, if you like, "annual value," "net annual value if you prefer it;" an increase in net annual value as against the last assessment?—Yes, as against the last assessment.

1098. In fact it represents growth of five years?—No, it is the growth of one year.

1099. Why the growth of one year?—Because it is compared with the rateable value by the Supplemental List of the 6th April 1890.

1100. I do not know that I am quite up to that. What is the meaning of it on the Supplemental List?—The Supplemental List is made annually, and all properties commenced to be occupied during the year are brought into the Supplemental List, and in the county of London the new properties represent about 250,000 *l.* a year.

1101. Each year?—Yes, each year. The quinquennial revaluation, instead of being 250,000 *l.* (that being the normal growth of new buildings

Mr. *Pember*—continued.

buildings) represents a total increase of 1,493,000 *l.*

1102. I know; but surely that total increase is compared with what the whole thing stood at the last quinquennial valuation?—No.

1103. Is it not so?—No.

1104. A great deal of the 1,493,000 *l.*, leaving out the odd pounds, must represent the gradual growth since the last quinquennial valuation?—What do you mean by the gradual growth?

1105. I mean to say that the assessable income, or nett annual value, or whatever term you choose to take, of London, as compared with what it was five years before, is 1,493,000 *l.* greater?—No, not compared with five years previously, compared with the one year previously; that is to say, that instead of increasing at the rate of 250,000 *l.* annually, it increases at the rate of nearly six times as much for the one year; and the difference between the 250,000 *l.*, or a large portion of it, and the 1,493,000 *l.*, would represent the increase in the rental value of London.

Mr. *Richards.*

1106. Annually?—The annual rental value.

Mr. *Pember.*

1107. Now, let us suppose for a moment that is so; what made you use the words with regard to that, "Capital value of the increase;" that is what puzzled me?—In the same answer to Question 108. I say, "Of course it is a very difficult thing to arrive at any exact figures, but carefully considering the whole subject, I think that the capital value of this increase, apart altogether from any addition for new buildings, would be something like 950,000 *l.*"

1108. What do you mean by "capital value"?—That is explained in my later replies, I think.

1109. No, you say exactly the same thing; because my learned friend takes the words "capital value" from you, in Question 110; he says, "You mean the increase arising from the quinquennial revaluation of property on the same buildings, and in respect of the same water supply, the capital value is 943,000 *l.*?—Yes.

1110. It is not capital at all; you say it is income?—No, what I mean is this. The way I have arrived at 943,000 *l.* is this; 943,000 *l.* would represent the figure after allowing for (you will find it in Question 117), the total increase in the rateable value for the quinquennial year, not for the period, is 1,493,000 *l.*; that is from all causes.

1111. That is net annual value?—The net annual value. I say "if you take the average of the previous four years, which may be taken as representing almost exclusively new buildings; that is 25,000 *l.*; that must be deducted of course."

1112. That is increase of buildings for one year?—Yes.

1113. Income again?—Yes. "Then also you must deduct in addition the rateable value of property not supplied with water, such for instance as the mains of gas and water and other companies," and so on.

Mr. *Richards.*

1114. Read number 114?—I will read Question 120: "From that you would deduct the average for new buildings 250,000 *l.*, and you deduct for increase in special properties a further 300,000 *l.*, making a total deduction of 550,000 *l.*

1115. That is income again?—Yes.

1116. You deduct that from income which was 1,493,000 *l.*; that leaves 950,000 *l.* which is not capital but income?—"The charge for water for domestic purposes varies in the case of houses rated under 200 *l.* from four per cent to 5 per cent.; in some cases in small properties the maximum rate is smaller; but if you take the lowest, take it at 4 per cent., that would give you a net increase at 4 per cent. on 943,000 *l.* of 37,772 *l.* as an annual income distributed over the eight companies, of course, in varying proportions, to be derived from the automatic re-valuation of property during the quinquennial year."

1117. In other words, you did not mean capital; you meant rateable value?—No, I did not; I meant capital value; because it gives an income of 37,000 *l.*; and if you capitalize that at 25 years' purchase, that brings it to the same thing.

1118. It is obvious, then, it is an increase in income of 1,493,000 *l.*, minus two other sums of income, which leave exactly the 950,000 *l.*?—No.

1119. That is your own sum?—No; 1,493,000 *l.* is the first sum we started with.

1120. So we have agreed a great many times over?—You said 943,000 *l.*

1121. No, I said 1,493,000 *l.*; and, that being income, you deduct two other items of income?—It is not income.

1122. Well, net annual value, if I must use three words instead of one. Then you deduct 250,000 *l.* and 300,000 *l.*, which are sums of the same kind (I will not say income), and that leaves 943,000 *l.* behind?—Yes.

1123. Then how you turn that into capital, I cannot see?—I go on to show in Question 120.

1124. Where do you get those figures from?—From the return issued by the London county council.

1125. Do they distinguish between 943,000 *l.* and the other two items of 250,000*l.* and 300,000*l.*?—I must refer you to Question 117. I go into that question there.

1126. I can see what your sum is; but what I want to know is, where do you get your figures of 250,000 *l.* and 300,000 *l.* from?—It is an estimate. The 250,000 *l.* is not an estimate; that is an ascertained figure.

1127. Where did you ascertain it from?—From the returns issued annually by the London county council.

1128. Where do you get your 300,000 *l.* from?—That is an estimate; 5 per cent. on 6,000,000 *l.*

1129. Who made that estimate?—I did.

Mr. *Bolton.*

1130. I should like to ask this question: Do you say that the amount of additions for new buildings is 250,000 *l.* a year?—Yes, in the county of London.

1131. Then

Mr. *Bolton*—continued.

1131. Then in five years that would be 1,250,000 *l.*?—Yes.

1132. That would be the increase for new buildings?—For new buildings.

1133. Then if the aggregate increase is 1,493,000 *l.*——?—No. That is not the aggregate increase; the aggregate increase would be about 3,000,000 *l.*

Mr. *Lawson.*

1134. £.2,700,000 would be the total increase in five years both from the supplemental lists and from the quinquennial valuation?—For new buildings only.

Mr. *Bolton.*

1135. Then the increase of 1,493,063 *l.* is an increase of the fifth, or over the fourth?—That is so.

1136. Not a difference between the former quinquennial valuation and this?—No.

Mr. *Pember.*] That we have carefully looked into.

Mr. *Lawson.*] That is the only year which shows what is called the unearned increment.

Mr. *Bristowe.*

1137. Have you any estimate of the difference between the present valuation, and that which took place five years ago. Must we take that to be five times 1,400,000 *l.*?—No, Sir; four times 250,000 *l.*

1138. I meant the valuation of the metropolis for rating purposes for water, between five years ago and the present time, is it five times 1,400,000 *l.*?—No.

1139. Cannot you give roughly what it would be?—It would be four times 250,000 *l.*, that is, 1,000,000 *l.* and 1,493,000 *l.*

1140. You think about two millions and a half?—Yes, two millions and a half.

Mr. *Pember.*

1141. I daresay we can get at it. (To the *Witness.*) Are you under the impression that the increase, whatever it is, involves an increase of income to the water companies?—You see how I work it out.

1142. I do not ask you how you work it out. I only ask you whether you are under the impression that these figures involve a corresponding increase of income to the water companies?—No.

1143. Then what is the use of them?—I told you that the 943,000 *l.* is the increase in the annual value.

1144. Are you under the impression then that the 37,000 *l.* which you put as the income arising on the 943,000 *l.*, represents that amount of increased income to the water companies?—I should think it is rather a low estimate, because it is taken only at four per cent.

1145. Have you any idea with regard to these various water companies, what increase there has been in the number of houses inside their districts?—Do you mean inside London, or the whole district?

1146. Take any one; take East London for instance?—That is given of course in the report of the water examiner.

Mr. *Pember*—continued.

1147. Have you any idea what the increase in the number of houses has been?—That would not bear a fair comparison to these figures.

1148. I only asked you if you had any idea what the increase in the number of houses has been?—I could not say on the spur of the moment.

1149. Have you any idea as to existing houses as to how many there has been an increase in assessment, or as to how many there has been a reduction?—There would be reduction and increase, both; but the nett result would give an average increased income to the eight companies of about 4,000 *l.* a year.

1150. Do you pledge yourself to knowing that as a fact?—No, only as an estimate based on the best figures I could get.

Cross-examined by Mr. *Littler.*

1151. So many points have been touched upon that I shall not ask very many questions on behalf of the City. The City in rateable value is an eighth, is it not, of the interior London area?—Yes, nearly an eighth.

1152. How do you justify giving to an eighth of taxable value only one representative?—One representative on the Water Trust, because you take into account not only the rateable value but the consumption of water and the number of population.

1153. The rateable value is what the rate is levied on?—The City, although it has a larger rateable value, has a very small resident population.

1154. Suppose it has, is it not your object in this Bill to make taxation and representation go together?—Yes, and I think that is fairly met.

1155. How do you justify then so absurd a disproportion as one out of thirty nine?—We are giving the City double the number of any other electoral area; that is we make them a complete independent electoral area.

1156. Why are your electoral areas based so completely on population and so little on rateable value?—They are not based exclusively on population.

1157. So much, I said?—If the City were taken on population only, they would be entitled to about a fourth of the representation.

1158. I daresay; and you think that a fourth of a representation for one-eighth of the rateable value is a fair representation, do you?—If you take into account the population.

1159. By the way, who are the consulting committee who made this scheme of 1889?

Mr. *Rickards.*] We have had that.

Witness.] You have it all in my evidence.

Mr. *Littler.*

1160. Are the names of the committee on the evidence?—No.

1161. I what to know who are the consultative committee who made up their minds as to the way out of this simple question?—I gave in a list of the Vestries yesterday.

1162. I want to see the names of the gentlemen and to see what authority they have on water matters. That is what I want to know.

Mr. *Rickards.*] I will give my learned friend a list, if he cannot find it.

Mr. *Littler.*

1163. I shall be content with that. (To the *Witness.*) I dare say you can remember the names, can you not? How many gentlemen were there on the committee?—Originally there were 23.

1164. How many are there now?—Fifteen.

1165. One for each vestry?—Yes, one for each vestry or district board.

1166. I should think you could almost remember those, could you not?—Yes.

Chairman.] Is it necessary?

Mr. *Littler.*] I want to have them Sir, before we leave to-day. (To the *Witness.*) As far as I understand, your view is that you may raise any amount of money that you think necessary without coming to Parliament again?—Yes.

Mr. *Rickards.*] Not what we think necessary; the amount we think necessary to buy up the water undertakings.

Mr. *Littler.*] That is not all.

Mr. *Rickards.*] Plus half a million for general purposes.

Mr. *Littler.*

1167. (To the *Witness.*) Unless you have to exercise compulsory powers over land. You may, so far as you deem it expedient from time to time, enlarge and improve existing water companies, construct new water companies, improve existing methods of supply, supply water from new and independent sources, and adopt such other means as may be necessary for carrying into execution the purposes of this Act; and you have no limit either as to the amount of rate you can raise, or the money you can spend?—As I have said before, any new source of supply can be taken in hand. It would probably involve coming to Parliament for compulsory powers of purchase.

1168. What is to prevent you agreeing to buy a piece of land, and then spending any amount of money on pumping or building a reservoir, nothing is there?—The 14th Clause says, "The Water Trust shall from time to time for the purpose of providing the purchase stock," that is the purchase stock which is limited by the amount of compensation.

Mr. *Rickards.*] Now turn to Clause 23.

Mr. *Littler.*

1169. What I ask you is, where is there any limit to that power in your own Bill?—The 23rd Clause, which limits the power of stock, besides purchase stock, to 500,000 *l.*

1170. I know that; but supposing you were to take it into your head to buy half Middlesex for a reservoir, what is there to prevent you?—We have no power to under the Bill.

1171. Is there any limit?—No.

1172. What is to prevent your rating under this Bill?—You cannot do that.

1173. Why not?—The power of rating is simply to make good a deficiency in the net revenue of the Trust.

1174. But then you pledge your net revenue to borrow money; you pay the interest of your borrowed money out of net revenue, and then you rate to make up the deficiency. What is there to prevent you doing that?—The Bill itself.

Mr. *Littler.*] I tell you there is absolutely nothing to prevent you.

Mr. *Rickards.*] That is sufficiency of revenue, not of capital.

Mr. *Littler.*

1175. I have pointed out the way in which it can be done, and it is obvious it can be done in that way. (To the *Witness.*) Have you studied at all the precedents of other water undertakings, for instance, Manchester?—Yes.

1176. Have you read through their Bills?—Some of them.

1176*. Do you know how many they have had?—A number of Bills extending over a good number of years.

1177. I will tell you they have had 14, Is there one of those Bills which gives them the power to raise a specific sum for purposes ear-marked within the Bill under the authority of Act of Parliament?—They took power which we do not take to make.

1177*. Is there one of them in which there is power for a single sixpence to be raised except the money authorised by Parliament, and ear-marked as being raised for the particular works named in the Bill?—No, I no not know that there is, nor is there in this Bill.

1178. Is there a water Act in this country in which there is general power given?—I am not aware of any.

1178*. Is there any water Act in which the amount of ready money to be raised is not specificially named, and the purpose for which it is to be applied specificially declared?—That is the principle of this Bill.

1179. Then it has lamentably failed in carrying it out. I will argue that, or present that to the Committee. Do you know of any one instance in which that is not the case?—No, I do not.

1180. How much are you going to spend under this Bill?—Whatever the arbitrators may award for the acquisition of the undertakings, with a power to borrow a further sum of 500,000 *l.*

1181. £.500,000 is not going to buy the water companies?—No; I say in addition we take power to borrow a further sum of 500,000 *l.*

1182. I see you do not know how much you are going to spend, and you are going to take power to raise such money as may be necessary?—For the purpose of the undertakings.

1183. Is there any single Bill that you know of where you have a general power to enlarge and improve existing water companies without defining the enlargements?—I cannot call one to mind.

1184. Nor I. Is there any in which there is power to construct new waterworks without defining them?—Not that I know of.

1185. Is there any which empowers you to improve existing methods of supply without defining them?

Mr. *Rickards.*] Yes.

[*Witness.*

Witness.] I do not know, I am sure. That is a matter for Counsel.

Mr. *Littler.*

1186. Is there anything which enables people to get water from new sources without indicating the sources?—This must be subject to the consideration of Parliament.

1187. That is to say, if you have to take compulsory powers?—Yes.

1188. But you may not. I think it is likely you might go and make wells. My question is not what is likely, but do you know any instance in which it has ever been given to any human being in this country?—No.

Cross-examined by Mr. *Balfour Browne.*

1189. I do not propose to cross-examine for the Lambeth Water Company, because Mr. Pember has done so for the water companies generally. I want to ask one question for the Provincial Water Companies' Association, and it will only be one. Just look at the Preamble of your Bill. As I understand your Bill, you have started from the position that was taken up by Sir William Harcourt's Committee?—Practically, yes.

1190. You have assumed that everything up to Sir William Harcourt's Committee has been done. Your Preamble is practically (I do not say word for word) framed on that first recommendation?—No. I think the Preamble may be taken more as framed on Lord Cross's Bill than Sir William Harcourt's.

1191. Lord Cross's Bill was very different, but apparently the Preamble recites that it is expedient that the supply of water in the metropolis should be in the hands of a public authority?—Yes.

1192. Now, that was what Sir William Harcourt's Committee recommended?—Yes.

1193. And you had that in mind, I suppose, when you brought in your Bill?—Yes.

1194. Would you have any objection, let me ask, to state in the Preamble that that was a finding of the Committee in 1880?

Mr. *Rickards.*] Yes.

Witness.] I cannot answer that question.

Mr. *Balfour Browne.*

1195. Why not?—Because that is a question for Counsel. I could not take the responsibility of assenting to any alteration like that.

1196. You say you start from that point, and it is practically on all fours with the recommendation of Sir William Harcourt's Committee?—No. I said we had improved, as we thought, on that Report.

1197. In what respect?—By taking in supplemental sources of supply from the Rickmansworth and Leatherhead Companies.

1198. Which are not vital parts of your scheme, as you told us. Leaving out those non-vital parts of the scheme, it is absolutely on all fours with the recommendation of Sir William Harcourt's Committee, is it not?—No, it is not on all fours.

1199. Why do you object to have it stated in the Preamble?—Because I do not know what the effect of it would be.

Mr. *Balfour Browne*—continued.

1200. Is that your only objection?—It seems to be a good one, I think.

1201. As I understand, you have told us that that was the point you started from?—Yes.

Re-examined by Mr. *Rickards.*

1202. First of all, as to my learned friend Mr. Littler's objection that we take indefinite capital powers in the Bill. The capital authorised by the Bill may be put under two heads?—Yes.

1203. First the amount of the purchase money of the undertakings?—Yes.

1204. And, secondly, the half million for general purposes?—It would be manifestly impossible to limit the amount of purchase stock for two reasons. First of all you might put in a sum that was too small and have to come to Parliament for further powers; or you might put in a large sum which would bear the appearance of giving some directions to the arbitrators to award that total sum for the undertakings.

1205. Now, as to the question of whether such a proposition is without precedent, do you know (and if you do not I will put the Act of Parliament into your hands) of an Act of Parliament called the "South Yorkshire and River Dun Navigation Act, 1889"?—No.

1206. Which gave the South Yorkshire and River Dun Navigation Company power to acquire the River Dun Navigation, belonging to the Manchester, Sheffield, and Lincolnshire Company on terms to be settled by arbitration, and for that purpose to raise capital?—I am not aware of that.

Mr. *Rickards.*

1207. I admit, Sir, I am giving evidence myself for the moment, but it is in answer to my learned friend Mr. Littler. (To the *Witness.*) You have not heard of it, but I have heard of it, and I will put it in presently as a precedent for this proposition. Then I take it the view of your Committee is that, outside the money required to purchase the undertakings of the companies, and the half million which you take power to raise for general purposes, you would have to come to Parliament to raise further capital?—Certainly.

1208. Now with regard to the representation of the City of London: At the present time, as you have pointed out, the consumption of water is very small; the number of water consumers is very small, and most of the persons rated in respect of property in the City live in the outer ring, and would be county electors for the parts in which they reside?—Yes, most of them would, or a very large number of them, rather.

Mr. *Russell Griffiths.*] Would you mind asking him if they pay upon their rates inside the City?

Mr. *Rickards.*

1209. I will leave my friend to ask that if he likes. (To the *Witness.*) I think you have made quite clear now that, although you used the expressed, "the increase of rateable value in the

Mr. *Rickards*—continued.

quinquennial year," you meant in one year only?—In one year only.

1210. And you capitalised the increased income of the companies during that one year at 943,000 *l.*?—Yes.

1211. There is a considerable amount of cross-examination for me to deal with, and I will deal with it as shortly as I can. Going backwards, I see that my learned friend Mr. Pember objects to the provisions for the pension and superannuation allowances for officers and servants. The principle which you have adopted is the principle of the Superannuation Act of 1859, as applied to civil servants, is it not?—Yes.

1212. With some slight variations?—Yes.

1213. It has been suggested that it would be a great hardship on an existing officer if he were dismissed by the Water Trust?—Yes.

1214. Of course it is obvious that if his board of directors at the present moment chose to dismiss him he would have to go?—Quite so.

1215. And you have provided in your Bill that, other things being equal, the Water Trust shall take over the existing officers and servants of the water companies?—Or compensate them.

1216. It would, obviously, be to the interests of the Water Trust to acquire the services of experienced officers?—Unquestionably.

1217. Do you consider that their risk would be materially increased by the transfer of the undertakings to the Water Trust?—No, I think not.

1218. In the case, I mean, of long service servants?—I should think not at all.

1219. Of course, if they reduced the staff, they would begin, so to speak, from the bottom, that is to say, they would get rid of those officers who had had the least experience?—Naturally.

1220. Now with regard to the fourth schedule which has been struck out: that schedule, or rather the framework of it, because the figures were never filled in, was originally put in in accordance with the precedent afforded by Lord Cross' Bill of 1880?—That is so.

1221. And as we know, the amount of compensation to be paid to each company had been previously arranged by Mr. Smith and the companies?—Yes.

1222. And in the case of principal officers, secretaries and engineers, the amounts of compensation to which they were entitled had also been arranged and embodied in the Fourth Schedule?—Yes.

1223. And Parliament rejected the arrangement come to between Mr. Smith and the companies, and on mature consideration you thought it best to strike out the Fourth Schedule, as this Bill does not embody terms of agreement, and to leave it an open question?—Yes.

1224. Or rather not quite an open question, subject to the well-defined principles of this Superannuation Act of 1859. There is another question which has been asked which is of course not unimportant. You have provided that at a certain period, three months after the date of the award or agreement for sale, the companies' undertakings shall spontaneously vest in the Water Trust?—Yes.

1225. Have you introduced Clause 51 of the Bill in order to prevent having an expensive winding up of each company by the courts of law?—Yes.

1226. Have you introduced Clause 48 into the Bill in order to enable the companies to adjust their affairs as far as possible?—Yes. It was thought that those two clauses would afford the most economical way of dissolving the companies and settling their affairs.

1227. Have you, under Clause 41 of the Bill, provided that the Water Trust shall discharge all duties and obligations attaching to their undertakings upon entering upon the undertakings of the companies?—Yes.

1228. Amongst others, there would be the expenses, of course, of winding up, and so forth. Did you introduce Clauses 41, 48 and 51 in order to avoid the expensive winding up of each company's undertaking by recourse to a court of law?—Yes.

1229. Did you adopt in those particulars the provisions of Lord Cross' Act of 1880?—Yes. I think those provisions are taken altogether from Lord Cross' Bill.

1230. Which was drafted by Sir Henry, now Lord, Thring, and which you carefully considered and adopted for the purposes of your present Bill?—Yes. We took Lord Cross's Bill which was reported on by Sir William Harcourt's Committee, and upon that report formed the basis of this Bill.

1231. Now as to the rights of shareholders, preference shareholders, and mortgagees, you have provided, have you not, that the arbitrators shall distinguish in their awards, the amounts payable to the different classes of shareholders in each company?—Yes.

1232. That is under Clause 13, Sub-clause 11. You will also know the different amounts of compensation awarded by the arbitrators in respect of each company?—Certainly.

1233. You will therefore know for certain those two figures, the amount awarded to each company and the amounts awarded to each class of shareholders in each company?—Yes.

1234. Do you desire by the Bill to give a proportionate security to the debenture holders and the preference shareholders and mortgagees of the combined undertakings in the hands of the Water Trust?—That is the intention of the clause.

1235. There are a lot of matters which my learned friend Mr. Pember, I think very fairly, calls matters of detail. You have already said you have no power of redemption of original stock, except by payment off under the sinking fund. You therefore do not propose, as at present advised, to subsequently lower the rates of interest attached to each class of stock?—There is no power to do that.

1236. Then my friend Mr. Pember has objected, amongst other things, to Clause 15, and says that a month is not sufficient time in which to give shareholders an opportunity of electing between cash and stock. That is a mere clause matter. You assume they will take stock unless they give notice within the month?—That is so. Of course if the shareholders at large like to prolong the time, there is no objection to extending the time; but I do not think the general body

Mr. *Rickards*—continued.

body of shareholders could suffer for the absence of one or two.

1237. Now with regard to the New River Company, and the objection that they have no register of shareholders; do you think that not only the tenants for life, but the reversioners also, will be able to look after their own interests?—They usually can.

1238. And there is such a thing as advertising in the *London Gazette* and other papers and giving notice in that way?—Yes.

1239. Now with regard to the Board of Arbitrators, you do not wish to adopt the whole Lands Clauses Act and nothing but the Lands Clauses Act?—No.

1240. Just as my learned friend Mr. Pember is inclined to do. And you think after providing under Clause 13 of the Bill that the remuneration of the Board of Arbitrators, that the remuneration of officers and all the office expenses of the arbitration should be borne by the Water Trust that it is fair, outside those very considerable costs, to leave the question of the actual legal costs, so to speak, of the inquiry in the hands of the arbitrators?—Yes.

1241. And you think that they may be trusted not to penalise the water companies in costs where they consider the claim of the water companies for compensation is reasonable?—Quite so. They have power to disallow unnecessary costs; but not otherwise, I think.

1242. And I take it that you have no objection to insert a provision, if necessary, to provide that the arbitration shall take place within reasonable time, but you consider that by incorporating the general provisions of the Lands Clauses Consolidation Act of 1845 in all matters except where varied by this Bill itself, that will be provided for in the usual manner?—Yes, if the Bill does not provide sufficiently for that, I have no objection at all to an amending clause being inserted.

1243. I am speaking now, of course, of Subclause 3, Clause 13, that the arbitrators are to be deemed arbitrators within the meaning of the Lands Clauses Consolidation Act of 1845 and amending Acts, and the provisions of those Acts are to apply to the decision of the arbitrators. Now, with regard to the objectionable number of four members on the committee, I do not know whether you have been here long enough to know that four is the number of ordinary committees on private Bills?—Yes.

1244. I have never heard of my friend Mr. Pember complaining of that before. You are going to give the Chairman a casting vote?—He must necessarily have, of course.

1245. And that chairman is the *ex-officio* chairman appointed by the Local Government Board?—Yes.

1246. With regard to public opinion (I really do not know that I need labour the point) you merely mean that, were public opinion turned upon them, so to speak, it would increase the sense of their responsibility?—And the care with which they will make the award.

1247. And not influence them in the amount of compensation?—No; on the contrary, the Board of Arbitration will be required to make a declaration that they will make their award on the evidence.

Mr. *Rickards*—continued.

1248. I will not take you through the reasons you have given in favour of having one fixed Board of Arbitration, beyond pointing out that it is in the Local Government Act of 1888?—Yes.

1249. With regard to a remark that has been made that Lord Cross's Bill did not go further than proposing to acquire the eight metropolitan water companies, you think that it is necessary to supplement the supply by the acquisition of those two companies which have been mentioned?—We think it desirable to do so.

1250. You think that it is absolutely necessary to acquire the eight companies?—Yes, as the basis of any scheme.

1251. And advisable to acquire these two other companies?—Yes

1252. And would you be willing, if the Committee should so desire, that the power to acquire the two outside companies should be left to the Water Trust to exercise in their option giving them compulsory powers of supply?—Not the slightest.

1253. They do to that extent stand on a different footing. The acquisition of the eight metropolitan water companies is an necessity; that of the two others is a desirability?—That is so.

1254. Now with regard to the question of the distribution of water. Companies supplying the outside authorities in bulk leaving them to distribute, you have pointed out that it might cut off mains at important parts, and would necessarily interfere with the unification of the whole of the undertakings of the company?—Yes, it might very seriously injure some other parts of the undertakings.

1255. And some other parts of the area?—And some other parts of the area.

1256. And prevent the economy of supply that you hope to bring about?—Yes, it might seriously interfere with that.

1257. Now, with regard to Croydon and Richmond, you wish to give them every possible protection that you can?—Yes.

1258. Now I come to the question of the outside authorities. You have been asked a question in cross-examination by Mr. Balfour Browne. Have you, since yesterday, looked up the matter, and can you tell the Committee what steps you took to let the outside authorities know what you proposed to do under the Bill. First of all they made no representation to you?—No, they made no representation to us.

1259. And secondly, you invited them of your own accord to attend the conference?—Not to attend the conference, but we invited them to express their views.

1258*. Which they have failed to do?—Yes, on the general principle of the Bill. A large number of them have expressed an opinion adverse to the County Council Clauses in the Bill.

1259*. Would you please tell me in what form you communicated with the local authorities in the outer ring?—On the 10th October last I sent round a circular letter referring to the recent conference and to the appointment of an executive committee "to take the necessary steps for promoting a Bill in the next Session of Parliament for the purpose of transferring the undertakings of the eight companies now supplying London with water to the London county council

Mr. *Rickards*—continued.

or some other representative authority." Then I go on to say: "As the present area of supply extends beyond the metropolitan area in every direction, I have been directed to bring the matter under the notice of the corporations and local boards having jurisdictions in any portion of the extra metropolitan area in which the London water companies (then they are enumerated) have power to supply water, with a view to ascertain how far such corporations and local boards may be disposed to support the action of the metropolitan authorities."

1260. Did you receive any reply to that?—Oh, yes.

1261. My learned friend Mr. Holland wishes to know if that notice was sent to Watford?—No, I think not; Watford is outside the metropolis water area.

Mr. *Holland.*

1262. Or to Hertford, or to Rickmansworth? Yes, to Rickmansworth.

Mr. *Holland.*] To the Hertford county council.

Mr. *Rickards.*

1263. We have not treated the county council as the bodies with whom to communicate. It is the sanitary authorities outside the metropolis.

Witness.] Yes. The county councils, of course, have no power with regard to water supply at all. Under certain conditions the local sanitary authorities outside the metropolis have the powers; and that was our reason for communicating with them.

1264. That is to say, under the Public Health Act of 1875, failing the supply by a company, a sanitary authority anywhere outside the metropolis may supply water itself?—Yes, where a company is not prepared to do so.

1265. Whereas a county council has no power of supply, or of promoting Bills in Parliament for the purpose?—That is so.

1266. It was for that reason that you communicated with the local authorities in the outside areas?—Yes.

1267. Can you summarise the replies which you got, or classify them in any way without going into elaborate details?—Practically the general gist of it was, I received a reply from most of them stating that the matter was under consideration and referred to a Committee. I received no expression of opinion upon the general principle. Most of them are merely acknowledgments stating they have been laid before the Board and so on.

1268. Most of them are merely acknowlegments and express no opinion at all?—That is so.

1269. Have you any instance in which they did express a decided opinion. Take the Beckenham Local Board: Have you a letter from them.

Chairman.] We have the latest expression of opinion of the Beckenham Local Board in the petition. I do not quite see that you need go into this.

Mr. *Rickards.*] The object with which I am asking the question is to show we had communicated and done our best to consult the outside authorities.

Witness.] I may say I was in communication with the London county council constantly.

Mr. *Rickards.*

1270. Did you, so soon as the Bill was drafted, send drafts of the Bill and an explanatory memorandum to them. The London county council deny that we have communicated with them on this subject or sent them a draft of the Bill or memorandum. Kindly put that matter right, Mr. Wilkins?—On the 18th of November, I addressed to the clerk of the London county council the following letter: "Sir, I am directed to transmit to you for the information of the council the enclosed copy of a Gazette notice of a Bill proposed to be introduced into Parliament next Session for the transferring of the undertakings of the eight London water companies to the council, or some other representative body, and for other purposes. The committee promoting the Bill are advised that it will not be necessary to deposit a copy thereof as a private Bill; it will therefore be introduced as a public measure. I am, Sir, your obedient Servant, Harry Wilkins." On the 29th January, I received a letter from Mr. Spencer, the deputy clerk to the London county council, asking for 30 copies of the Bill; and I say: "Dear Sir, I have sent your application for 30 copies of the Bill to the Parliamentary Agents, with the request that they will let you have them." On the 31st January I write: "Dear Sir, since writing you on the 29th instant, it has occurred to me that some copies of the memorandum might be useful to your committee; and I therefore send 35 herewith. The new title of the Bill is, "The Metropolis Water Supply."

1271. Was that the memorandum that you have referred to two or three times?—Yes, a little blue book.

1272. A pamphlet of your own?—Yes.

1273. Explaining the purposes of the Bill?—Yes.

1274. And you sent them 30 copies of the Bill and 35 copies of your memorandum in January?—Yes.

Mr. *Freeman.*] Now, will you ask if he communicated with them in any shape or way until after the Bill was deposited, that is what I ask.

Witness.] Yes; there was a copy of the Gazette notice.

Mr. *Rickards.*

1275. When was the Bill deposited?—It was not deposited at all.

1276. When was it introduced into the House?—I think the 30th or 31st of January.

1277. Then it was concurrently with the deposit of the Bill?—On the 18th November I sent officially to Mr. De la Hooke a copy of the Gazette notice. As I say, I received an application from Mr. Spencer for 30 copies of the Bill. I sent the letter on to the Parliamentay agents, and two days later I sent 35 copies of a memorandum which I had prepared for the information of other authorities.

1278. Then the notice which you sent them in November set out all the purposes and provisions of

Mr. *Rickards*—continued.

of the Bill?—Yes, and very much more. We have not acted fully up to the Gazette notice.

1279. Therefore in November last the London county council had full notice of the purposes of the Bill which you proposed to introduce into Parliament?—Yes.

1280. Now to return for a moment to the outside areas; you have told us that you sent them all notice of the Bill. Did you in January last send them also drafts of the Bill, or some of them?—Yes, on the 29th January: "Dear Sir, I am directed to ask you to be good enough to submit to your board the accompanying draft of the London Water Bill prepared by this committee and explanatory memorandum relating to the Bill, and the circumstances which have led to the preparation thereof. The committee venture to hope that the main features of the Bill will commend themselves to your board and secure their hearty support, in the form of a petition in favour, urgent request to the members representing the locality in the House of Commons to strenuously support the Bill, and in such other manner as may suggest itself to the Board. It will materially assist the Committee if you will kindly inform me of the views of your Board with regard to the Bill, and what action they may take to give effect thereto. The Bill will be probably introduced into the House of Commons, as a public Bill, within the next few days. Should you desire any further copies of the draft Bill (before the Bill is ordered to be printed by the House of Commons) they may be obtained of Messrs. Jordan and Son, Parliamentary Agents, 5, Victoria-street, Westminster, S.W., at the rate of 2 *s.* each. After the Bill has been introduced, copies may be obtained of the Queen's Printers."

1281. That you sent to the outside authorities?—Yes.

1282. The local authorities outside the metropolis, but inside the metropolitan water area?—Yes. Then later we applied to the county council for the loan of the County Hall, Spring Gardens, as being the most central and suitable place of the kind for the purpose.

1283. What date is that?—The meeting was called for the purpose of diffusing information only upon the Metropolis Water Supply Bill. Copies of that notice to a large number were sent to each local authority, both inside the metropolis and outside the metropolis in the proposed water area.

1284. Was a meeting held at the office of the London county council?—Yes, in the County Hall.

1285. On what date?—The 27th February.

1286. After due notice?—After due notice.

1287. And the matter was discussed there?—Yes.

1288. And was a resolution passed in favour of the Bill?—Not in favour of the Bill, but in favour of the principle of transferring the water undertakings to a public authority.

1289. That reminds me of a question which I wish to ask you. It was in 1890——

Mr. *Meysey Thompson.*] Had we not better have that resolution; because it involves the whole difference between us?

Witness.] It was a general resolution.

Mr. *Rickards.*] You are very welcome to it.

Witness.] I am not sure I have it. I will get it if I can. It was not a meeting of the committee, and I do not think I have any record of it

Mr. *Rickards.*

1290. Was that resolution unanimously carried?—Yes.

1291. Can you give me the members who attended that meeting?—I see the minutes of the executive committee under date of the 6th March 1891 are: "The Secretary reported that the meeting of members of local authorities to consider the provisions of the Bill, held at the County Hall, Spring Gardens, on the 27th February 1891 was well attended, and that a resolution in favour of the transfer of the water supply to a public authority at an early date was passed unanimously." That is the only record that I have.

1292. You have not a record of the exact words of the resolution?—No.

1293. My friends can bring it up if they want to. As to your own resolutions—the resolutions, I mean to say, passed on the 19th June 1890, and the 31st July—you told us that the original resolution, passed on the 19th of June 1890 was a resolution confirming the principle of the Bill and in favour of approaching the Government on the subject?—Yes.

1294. One of my learned friends, in cross-examination, put into your mouth the words that Mr. Ritchie was in favour of postponing the question for a year?—Yes, that is to this year.

1295. That was in 1890?—Yes.

1296. That was in order to give time for the inquiries?—For the inquiries of the County Purposes Committee of the City Corporation to be completed, and for the London county council to make the inquiry which they were authorised by their Act of last Session to make.

1297. And the result of the inquiry by the Corporation, at any rate, has been the introduction of the London Water Commission?—Yes.

1298. That is all that has come of it at present?—Yes, except the collection of a good deal of useful evidence.

1299. I quite acknowledge that, and am going to use some of it myself. So much for the outside authorities. With regard to county councils, you have already given us the answer that you consider the electors themselves better representatives of the county for some purposes than the county councillors themselves?—Yes. We go to the fountain head, so to speak, we take those who elect the county councils as being preferable to the county councils themselves.

1300. Did it occur to you that the county councils who represented the electors would object to have the same body of electors to elect the Water Trust?—No; I should have thought that that would have commended itself to them. We should, in fact, appeal to the constituencies of the county councils instead of to the county councils themselves, and I should think the county councils could have no objection to an appeal to their own constituents.

1301. As to the objections of the different local board authorities, you proposed to leave them exactly as they are, do you not, with regard to

Mr. *Rickards*—continued.

water supply?—With regard to the existing rights.

1302. Yes?—Yes; we do not propose to interfere with them.

1303. And you are willing, if necessary, and the Committee think fit, to come under the same provision as I have offered in the case of Rickmansworth and Leatherhead, that you should supply that district first before carrying water away from the metropolis?—Yes.

1304. In regard to the New River Company it has been pointed out that they are very large landowners themselves. You take a power, do you not, to sell superfluous lands?—Yes.

1305. If the New River Company insist on it, and the Committee think fit, have you any objection to separate the land of the New River Company from the water undertaking?—From some points of view. I think it would be an advantage to the Water Trust not to be incumbered with the management of landed estates; but we thought the New River Company would probably prefer to part with the whole of their undertaking.

Mr. *Rigg.*] The whole undertaking of the New River Company is real estate, watershed as well as land.

Mr. *Rickards.*

1306. Yes, we have had that very fully explained by Mr. Wilkins; that if they like to take cash for their real property shares in the New River Company they can do so, and invest the proceeds in real property itself. (To the *Witness.*) You think it is inconvenient to distinguish between the purchase-money, as applicable to the New River Company and other undertakings?—Yes.

1307. That is a more a matter of detail than of principle of the Bill, I take it?—Yes.

1308. There is one other matter, perhaps, which I ought to ask with reference to the water companies. It has been alleged by my friend, Mr. Pember that the arbitrators are to take into consideration the capital expenditure in future but not prospective enhancement of the values of the undertakings. On that point is the intention of Sub-clause 14, Clause 13, to draw the particular attention of the arbitrators to the matters referred to in it?—Yes.

1309. And have you assumed that the arbitrators will have regard to, and will have before them, the figures as to existing market values of stock, and all other matters?—Existing values, certainly. I do not think that a purchaser is usually required to pay possible prospective profits. When a man buys a thing he buys it at the value at the time when he buys it.

1310. When you provide that the arbitrators shall take into consideration the probable future requirements of the districts supplied by such company, you do not mean the possible population that may eventually arise in the districts of the Kent Water Works for example, but you mean the more immediate prospects of the company having to go to Parliament to acquire fresh sources of supply?—Yes.

1311. It is rather not to compel the arbitrators to look forward to all time but to the immediate future?—To the immediate future.

Mr. *Bristowe.*] Will you define what you mean by the "immediate future."

Mr. *Rickards.*] I cannot define it, Sir.

Mr. *Bristowe.*] Could Mr. Wilkins do so?

Witness.] Not nearer that, I think, Sir.

Mr. *Rickards.*] I mean to say the arbitrators have not to take into consideration the fact that some day Kent might be as populous as London, but to take into consideration this: that at the present time some company is drawing to the full its sources of supply and therefore in the immediate future will have to go to fresh sources.

Mr. *Bolton.*

1312. Will you refer to Section 21 of the Bill. At the end of Sub-section 1, and commencement of Sub-section 2, you will see that the total risk is on the ratepayers?—The ultimate risk.

1313. That is to say that if the income from the water rents is not sufficient to pay the expenses, the ratepayers will have to contribute from the rates to make up any deficiency?—That is so.

1314. The ratepayers are responsible for all the money raised ultimately?—Ultimately.

1315. Will you refer to Section 28. Under that section the income of the Trust is to be applied to three things and three things only?—No. You will see the first line of Clause 28 says: "The Water Trust shall after the payment of all interest on moneys borrowed under this Act, and of the expenses of providing a sinking fund for the repayment of such moneys, and a reserve fund for contingencies, and after the payment of all other expenses incurred by them in the exercise of the powers by this Act; subject to that then, the revenue is to be applied to those three purposes.

1316. There is no provision here that the ratepayers who run the risk are to have any return for that risk, or any opportunity of income in relief of municipal burdens or rates?—No; practically the water consumers will all be ratepayers, and they will get it in the form of reduced water rents.

1317. Is it not a fact that corporations that supply water derive an income in relief of municipal burdens?—In some cases; not in all. For instance, I think, speaking from memory, Glasgow have reduced their rate which was authorised by the first of their Acts, from 1 *s.* per thousand gallons to something like 6 *d.*

1318. But in nearly all those cases, if not in all, where the supply of water is in the hands of municipal authorities, the municipal authorities have the power of applying the surplus income to the relief of the ratepayers?—Yes, but there is this distinction between our Bill and the general Water Bills, that all these municipal corporations, without exception I believe, take power to charge a rate for public purposes on all rateable property throughout the area of supply. Manchester, for instance, has a penny rate on the whole rateable value of the property, whether the ratepayer takes any water or not. There is that distinction to be drawn between the Manchester Act and our Bill.

1319. But is it not a fact that this Bill imposes the risk on the ratepayers without giving the ratepayers

Mr. *Bolton*—continued.

ratepayers any opportunity of deriving any advantage in relief of rates?—In direct relief of rates?

1320. Any relief of rates?—Yes.

1321. It is the fact?—It is the fact. As I say, they will get it in the form of these three purposes.

Mr. *Lawson.*

1322. Do you know whether in any Water Act which has been obtained by municipal authorities there is a limitation of their powers of distributing the profit or the income arising from it, either in reduction of water rent or in reduction of general rates. Do you know of any such case?—I think there are precedents in both directions.

1323. Can you give us any case which you have in your mind of either kind?—I should not like to say positively, but I believe Glasgow may be taken as an illustration of one, and Manchester or Salford as an illustration of the other.

1324. In their Water Acts?—In their Water Acts, I think so.

1325. They are absolutely limited in one case to the reduction of water rent?—I do not know whether they are absolutely limited.

1326. That is what I want to know, whether there is any precedent for such a limitation as you propose in Clause 28.

Mr. *Meysey Thompson.*] I think I can tell you one, Sir, the case of the Edinburgh and Leith

Mr. *Meysey Thompson*—continued.

Water Act. They are bound to apply all the surplus revenue to the reduction of the rates.

Mr. *Lawson.*] That is a commission; I am asking in a case of municipalities.

Mr. *Rickards.*] This is a Water Commission-Sir.

Mr. *Lawson.*

1327. (To the *Witness.*) There is an alternative?—I think I have some particulars on that point.

Mr. *Rickards.*] The witness cannot answer it now, Sir. He will look up the matter and answer it to-morrow morning if you wish it. Anything you say you wish answered shall be considered.

Mr. *Lawson.*] I should like to know that a precedent for the limitation of the power of using the money as by that clause of the Bill.

Mr. *Rickards.*] That shall be considered, Sir.

Witness.] I can give you now if you like, Sir, a list of the executive committee, for which Mr. Littler asked. There is Mr. Banthorne, a member of the St. James' Vestry.

Chairman.] I do not think we need have that now; you can hand a copy of it to Mr. Littler, or some of his friends, and if he wishes to hand it in, he may.

Thursday, 7th May 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.	Mr. J. W. Lowther.
Sir Algernon Borthwick.	Mr. Murdoch.
Mr. Bristowe.	Sir Matthew White Ridley.
Mr. Lawson.	Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. HARRY WILKINS, re called; and further re-examined.

Mr. *Rickards.*

1328. MR. WILKINS wishes to correct his evidence on one or two points. Naturally, in the course of such long evidence he has made one or two slips. I do not say that these are the only ones, but these occur to us as important. (To the *Witness.*) At page 63 of the Evidence of yesterday, Question 1156, you were asked, "Why are your electoral areas based so completely on population and so little on rateable value?" and you say: "They are not based exclusively on population. (*Q.*) 'So much,' I said.—(*A.*) If the City were taken on population only they would be entitled to about a fourth of the representation." That should be "a fourth of the members," should it not?—Yes, a fourth of the number.

1329. Not "a fourth of the representation"?

Mr. *Lawson.*] That was understood.

Sir *Algernon Borthwick.*] It was understood, certainly.

Mr. *Rickards.*

1330. It is usual to put these things through the witness; that is why I do it in this way. Of course in an enormous mass of evidence like this there must be some slips. (To the *Witness.*) Now, page 67; at Question 1252, you were asked this: "And would you be willing if the Committee should so desire, that the power to acquire the two outside companies should be left to the Water Trust, to exercise in their option giving them compulsory powers of purchase," it should be. Was that the way you understood it?—That is the way I understood the question; and I intended to say I had not the slightest objection.

1331. Now, on page 70 there are two corrections, I believe, which you wish to make: Question 1317, "Is it not a fact that corporations that supply water derive an income in relief of municipal burdens?—(*A.*) In some cases, not in all. For instance, I think, speaking from memory, Glasgow have reduced their rate, which was authorised by the first of their Acts, from 1 *s.* per thousand gallons to something like 6 *d.*"; you wish to correct that?—"From 1 *s.* in the pound" instead of "per thousand gallons." The charge in Glasgow is based upon rateable value.

Mr. *Rickards*—continued.

1332. In the next question you have, since yesterday have you not, looked into the different instances and circumstances under which the local authorities are supplying water?—Some of them, yes.

1333. Some of them; and you say in the case of Manchester (which you allude to in your answer to Question 1318): "Manchester, for instance, has a penny rate on the whole rateable value of the property, whether the ratepayer takes any water or not; there is that distinction to be drawn between the Manchester Act and our Bill"; you wish to correct that "penny rate," do not you?—Yes; the public water rate in Manchester is 3 *d.* in the pound, and not 1 *d.*

1334. Upon that you have prepared, have you not, a table showing the circumstances under which, and the rates authorised to be levied, and all such questions of whether local authorities are entitled to apply water revenue to reduction of the rates generally?—Yes.

Mr. *Rickards.*] That I think was your question yesterday, Sir?

Chairman.] Yes.

Mr. *Lawson.*] I asked for information as to that.

Mr. *Rickards.*

1335. You did, Sir. We had prepared a table upon that, I had forgotten it for the moment, in dealing with the enormous mass of papers with which I had to deal. That table I now propose to hand into the Committee, and give copies of it to my learned friends. Then if either the Committee or my learned friends like to ask Mr. Wilkins any questions upon it they can do it. (To the *Witness.*) Is that the table you hold in your hand, containing answers to a series of questions addressed by you (the executive committee) to the borough engineers of 23 corporate towns, with a view to obtaining particulars relating to the water supply framed on the same basis?—Yes.

1336. Does

Mr. *Richards*—continued.

1336. Does that table contain the answers of 16 borough engineers with regard to their own borough?—Yes.

1337. Did you address 13 questions to each borough engineer of those 23 boroughs?—Yes, 13 in identical form. I received 16 replies to the questions. Information was given that three towns are still supplied by companies, three of the large towns, namely, Bristol, Newcastle-on-Tyne, and Sunderland, and not by the local authority. No information was given to me by the engineers of the other four towns as to which information was asked, namely, Birmingham, Bradford, Croydon, and Preston.

1338. Am I right in saying that the 16 answers are in the case of towns (for instance, Belfast heads the list) where there are either water commissioners or the municipal authority itself?—Yes.

1339. That is Appendix, No. 1?—Yes.

1340. Do those answers show, amongst other things, such a question as was put by an honourable Member yesterday as to the application of water revenue, where there is a surplus of it, to the reduction of local rates: is that shown?—It can be gathered from this, certainly.

1341. We will go into this in the most careful detail if you wish, Sir. (To the *Witness.*) Have you not found that in many of the Acts the corporation is under an obligation to supply without profit; that is to say, to reduce its rates to a point at which no profit is derived from the supply of water?—That seems to be the general drift of the local legislation. For instance, if you take the case of Manchester——

1342. Manchester would be rather low down on the page, but it was a case alluded to by an honourable Member yesterday. I am sorry to say the pages are not numbered; but it is page 5 of the first Appendix. I do not know whether the Committee would bear with me while I just briefly put the questions that we asked?—It is the sixth page, not the fifth. It is the last reply on the sixth page of Appendix 1. The question asked was: what was the net profit in the last completed year? The reply of the borough engineer is: "No profit allowed to be made beyond interest on loans and working expenses."

1343. You asked them very briefly the following questions: every one of those?—May I follow up my reply?

1344. Certainly; I would much rather you explainad it?—Then if you take the next question on the following page (the top of the page) you will see there that at the time of the purchase from the company, or at the time rather of the corporation taking over the water supply, their charge was 5 per cent. on the rack-rent; now it is a public water rate of 3 *d.* in the pound on all property within the City, payable by the owner thereof; and a domestic water rate of 9 *d.* in the pound on all dwelling-houses within the City and outside the City, of 1 *s.* in the pound; so that apparently they would apply it to reduce the charge for water.

1345. That is to say that they adjust their charges for water so as to balance the expenses of the supply?—Yes; and that is rather more than our Bill proposes, because here there is a 3 *d.* rate paid by the owners of the property, who derive no direct benefit from the supply of water.

Mr. *Richards*—continued.

1346. Now I see you have asked 13 questions; I do not know whether the Committee have them before them, but they were directed to obtaining exhaustive information from all these places?—Yes, engineering questions as well as financial. I may say that this statement took three months to prepare; and the answers were sent down in proof to each of the borough engineers, and have been corrected by them.

1347. The answers have all been carefully corrected?—By the borough engineers who gave the replies in the first instance.

1348. I think the questions that are most perhaps relevant to this inquiry are the questions 10, 11, and 12; those three questions. You will understand, Sir, that similar questions were addressed in all the cases. The 10th is: "Was the water supply purchased or established by the corporation?" The 11th is: "If purchased (*a*) the date; and (*b*) the net profit in the last year of the company's operations; (*c*) the price paid for the undertaking; (*d*) upon what basis the terms of purchase were calculated" (these are all subsections of question 11." Then (*e*): Capital outly since purchase; then (*f*) the net profits in the last completed year; and (*g*) the rate of charge for domestic supply at the time of purchase and this year. Then (question 12): If established by the corporation (*a*) total capital outlay; (*b*) total annual expenditure, and annual profit and loss; then (*d*) the present rate of charge for domestic supply. I think those three questions, for the present, which are long, of course (10, 11, and 12), are really perhaps what the Committee had in their mind when they asked me for particulars yesterday. Then I think on page 2, for what it is worth, of the Report itself, the memorandum, before you come to the Appendix, you have set out the market value (it is only for convenience sake) near the bottom of page 2, the market value of the stocks and shares of the companies?—Of the eight London water companies.

1349. Of the eight London water companies, 33,500,000 *l.*; then to that you have since added the value of the paid-up capital in the Rickmansworth Company, which you have put down at the liberal figure of 65,000 *l.*?—Yes, the paid-up capital of the Rickmansworth Company, as far as I can ascertain, is 60,0000*l.*; but I believe some subsequent capital has been created.

1350. That is on page 2 of the memorandum, at the beginning; then I see you have also added in writing the amount of capilal paid up in the Leatherhead Company?—Yes.

1351. Namely 30,000 *l.*?—£. 30,000.

1352. Giving a total market value of 33,595,000 *l.*?—Yes. That, of course, is in round figures.

1353. In round figures, exactly; and of course that is subject to arbitration, it is only for the sake of convenience put in that way?

Mr. *Lewis Coward.*] When we get copies of this table, it might be necessary to ask some questions upon it. It might be taking up the time of the Committee to do it now; therefore, if it should be necessary to put any

any questions on it, I should ask to have the witnesses re-called.

Chairman.] Certainly.

Mr. *Rickards.*] Certainly; of course that shall be done.

Mr. *Lewis Coward.*] That is understood.

Mr. *Rickards.*

1354. Oh, yes. (To the *Witness.*) There was a question asked by the honourable Member who sits on the extreme right of the Chairman about the value of the metropolis at the last quinquennial valuation in 1890 as compared with the previous quinquennial valuat on in 1885; now would you please give those figures?—I have prepared from the official returns, issued before the establishment of the county council, by the clerk of the Metropolitan Asylums Board, and subsequently by the comptroller of the county council, the rateable value of the parish each year from 1882 to 1890; would you like to have them each year?

1355. No; I think the question the honourable Member wished to have answered was, what the quinquennial valuation was in 1885, and what it was in 1890; the two totals would be enough, I think, to give?—In 1885 the rateable value was 29,373,733 *l.*; in 1890 it was 31,450,002 *l.*

Mr. *Lawson.*

1356. In 1890?—Yes.

Mr. *Bristow.*] That is two millions advance.

Mr. *Rickards.*] Rather over two millions; two millions and nearly a hundred thousand.

Witness.] Nearly.

Mr. *Rickards.*] I think the witness estimated it at two and a-half millions or two and a quarter millions. However, that was not very far wrong.

Witness.] My figures were based upon

Mr. *Bristowe.*

1357. That is quite near enough; I will not labour that point. I asked for it roughly?—I can give the 1891 figures, Sir, if you wish.

1358. Not at all; I am quite satisfied?—The only thing is, the 1891 figures show a much larger increase on the quinquennial valuation.

Mr. *Rickards.*] The increase in each year rather increases in a larger ratio.

Mr. *Bristowe.*] That is natural, I think.

Mr. *Rickards.*] I was asked for precedents for charges upon local rates, and so forth, and I have got several Acts. I am sorry to say they are not in the room this minute, but I will hand them to the Committee as soon as they arrive. They have been sent for to the publishers of the Acts.

Mr. *Bolton.*] Not precedents "for charges upon local rates," but precedents for the definite appropriation of the income in the way in which you propose by the Bill.

Mr. *Rickards.*] That is exactly what I meant, Sir; I ought to have put it more generally. I have several precedents; I have sent for them, and they shall be before the Committee very shortly; also there shall be before the Committee a copy of the South Yorkshire and Sheffield Navigation Act of 1889, which authorised the South Yorkshire and Sheffield Navigation Company to purchase the canals of the Manchester and Sheffield Company, on terms to be fixed by arbitration, and empowered that navigation company to raise a sufficient amount of capital to buy up the canals of the Manchester, Sheffield, and Lincolnshire Railway Company. I mean to say there was an undefined amount of capital, and in addition to that there was aa amount of capital for general purposes which in that case was a million and a half, as against half a million in our Bill; exactly in the same way there was a fixed amount of capital for general purposes, and there was an undefined amount of capital for the purchase of the undertaking, precisely in the same way as we propose it in the Bill. That Act shall also be before the Committee very shortly.

Mr. *Meysey Thompson.*] Would my learned friend give us a list of those precedents, in order that we also may get copies of those Acts?

Mr. *Rickards.*] Certainly.

Mr. *Meysey Thompson.*] If you would give us it now we shall be in a position to deal with it.

Mr. *Rickards.*] I am in this position: the clerk of Messrs. Jordan, the Parliamentary agents, has the list, and is gone to the booksellers to get the Acts.

Mr. *Russell Griffiths.*] Will you give us the list of the executive committee for which we asked yesterday?

Witness.] Yes; I have it here (*handing the same to the learned counsel*).

Mr. *Rickards.*] By all means; but I am not going to call the executive committee. You may make any comment on their social or other status that you think fit.

Mr. *Bolton.*] I should just like to say that the questions I put to the witness were with a view to eliciting information some of which he has given this morning, not with any desire to suggest, so far as my opinion is personally concerned, that rates should be supplemented by income derived from water. I did not wish to suggest that that was my opinion at all. My questions were simply for the purpose of obtaining further information, some of which has been given this morning.

Witness.] I think you will find most of the information you asked for in the statement, Sir, which I have handed in.

[The Witness withdrew.

Mr. *Rickards.*] I think it would be convenient that this Appendix should be put upon

upon the Notes; it is rather an expense, but perhaps it will be more convenient for reference. We are indifferent. Those printed copies will do for us; but if the Committee desire it put upon the Notes it shall be. It is a very great expense.

Chairman.] Oh no, it is not necessary as long as there are sufficient copies just for the use of other persons as well as the members of the Committee; so long as any question can be asked upon it.

Mr. *Rickards.*] I have sent for a number of other copies. We had 50 printed.

Chairman.] Two or three will be quite enough for us.

Mr. *Rickards.*] My learned friends can re-call and cross-examine the witness upon them if they think proper. Then there is the question, Sir, of the honourable Member for West St. Pancras, as to there being any precedent for these heads of expenditure and revenue contained in the Bill. The answer is partly contained in that document which has been handed in.

Mr. *Lawson.*] Yes, I see it under Question 12.

Mr. *Rickards,*] Yes, Sir, under Question 12, I think, you will find most of it.

Mr. *Lawson.*] It can be gathered from the figures.

Mr. *Rickards.*] And the Acts I hand in hereafter will, I think, give you any further information you may require. Now, Sir, I do not know whether the Committee would desire to ask Mr. Wilkins any explanation of the table that he has handed in.

Chairman.] We had better have time to study it, I think.

Mr. *Rickards.*] Then you will re-call him if necessary, of course.

Chairman.] We will re-call him if necessary.

Mr. *Rickards.*] Now Sir, after the intimation, you were good enough to give me on the first day on which you took this Bill, I do not propose to call anybody else on behalf of the executive committee of the vestries. I think Mr. Wilkins has given his evidence extremely well, if I may say so, and very fairly; and I do not see that it is necessary to trouble you with calling a number of other members of the executive committee to say "ditto" to what he has said already. They have not gone so exhaustively into it; and I am sure they will not think I am guilty of any disparagement of their evidence if I do not call them. The same remark, Sir, applies to the case of members of local boards who differ from us in detail but agree with the general principle of the Bill. Of course as you know the general principle of the Bill, the establishment of a central authority, and the acquisition of the companies, was passed by the resolution of 32 out of 39 metropolitan local boards and vestries. That was originally so; the resolution is before you. I will read it again if you desire. Since then for many reasons, principally on the question of expense of the inquiry, some of the local boards have withdrawn from the support of the Bill; and, of course, at the present time the way the matter stands is that there are 23 who have passed resolutions for and against the Bill, 15 for the Bill and eight against the Bill; the rest have passed no resolutions at all beyond first the resolution of the 31st of June 1890, which is in favour of the general principles of the Bill; but I do not propose to call members of local boards who are in favour of the main principles of the Bill but differ from us in detail, such as the Wandsworth District Board of Works, who do not approve of the constitution of the board of arbitration or of direct representation as a means of constituting the Water Trust. They are in favour of nomination for the Water Trust, and in favour of rather a different constitution for the board of arbitration. I hope I shall not be considered guilty of not treating their views with due respect if I do not call the members to explain those which I consider rather minor points of the Bill. Then, Sir, the next evidence I propose to put before you is this: I propose to put Mr. Cook, the gentleman who has prepared these maps, into the box for one minute to explain (I proposed to call him yesterday, but it was objected to) the principle on which he has made these maps showing the electorial areas; then I shall proceed at once to the engineering evidence on the point of the acquisition of the Rickmansworth and Uxbridge and the Leatherhead Water Companies.

Mr. Robert J. Cook, sworn; Examined by Mr. *Rickards.*

1359. I will ask you just to prove your map in a formal way. Were you instructed to prepare this map?—Yes.

1360. What did you prepare it from?—From documents partly that I had in my own office, and partly from Mr. Bolton's book, and also from information.

1361. Sir Francis Bolton?—Yes, I beg your pardon, Sir Francis Bolton; and partly also from information given to me by engineers to the various water companies.

1362. I believe you prepared a cartoon which is in the room, did you?—I did.

1363. Does that green line upon your map correctly show the proposed water area, that is to say, the limits of supply of the eight metropolitan companies plus Rickmansworth and Leatherhead?—It does.

1364. Does it also show the Parliamentary divisions within that area?—The map does, yes.

1365. And have you carefully ascertained the proportions and the total area of each Parliamentary

Mr. *Rickards*—continued.

mentary division?—I have to the best of my ability.

1366. And are they shown in figures upon that map?—They are.

1367. With regard to the total area, do you wish to make any corrections of that "708 square miles?"—None whatever; it is correct to the best of my belief.

1368. Have you compared it with the Ordnance maps?—I have.

1369. Is that taken from an Ordnance map?—Yes, this is a reduction from the one-inch Ordnance map; this was computed, as it is, on the scale of half an inch to the mile; and since then I have computed the Ordnance map, the scale of one inch to the mile, and they agree.

Mr. *Lawson.*] I should like to ask this: Taking the case of the county of London, which is put down "120" square miles, is not it the case that it is only 118 square miles?

Mr. *Rickards.*] There is not much difference, Sir.

Witness.] I make it 120 by computation. Were it calculated from a larger scale map than the one I computed it from, it would probably be a little different.

Mr. *Lawson.*] That is the figure that has been given to the London county council.

Mr. *Rickards.*] Then there is a small hand-map showing the Parliamentary divisions of the county of London itself?—There is.

Mr. *Rickards.*] Now, Sir, my learned friend Mr. Lyttelton will call Mr. Grover.

Mr. John William Grover, sworn; Examined by Mr. *Lyttelton.*

1370. You are a civil engineer of great experience in the construction of water works, and your offices are in Victoria-street, Westminster?—Yes.

1371. You are engineer also of the Rickmansworth and Leatherhead undertakings?—Yes.

1372. Now I want to take you in detail into the supply of London, and just a few figures I will ask you to give; the present water supply is, of course given by the eight companies partly from springs and partly from flowing rivers?—That is so.

1373. The springs are chiefly those of Kent?—Kent, yes.

1374. And the flowing streams are what?—The Lee and the Thames principally.

1575. According to the figures taken from the water examiner's report of 1889–90, the population actually supplied at present amounts to 5,581,491?—That is so.

1376. More than five and a-half millions?—That is so,

1377. And the number of houses, can you give us, please?—753,555.

1378. Three quarters of a million?—Three quarters of a million houses.

Mr. *Lawson.*

1379. This year?—This is from the Local Government Board Report of 1889-90.

Mr. *Lyttelton.*

1380. The supply has reached now a total of 167,000,000 gallons a day, on an average?—On an average, but it does reach as much as 186,000,000 gallons, as a maximum.

1381. Of that 167,000,000 gallons, for what amount is the Thames responsible?—About half; 85,000,000 gallons, daily.

1382. And the Lee?—58¼ million gallons, and the springs and the wells 22¾ million gallons. Of the maximum daily demand of 186,000,000 gallons, the Thames gives 98,000.000 gallons; the Lee, 59,000,000 gallons, and the springs and wells, 29,000,000 gallons. It is all in the Local Government Board Report; this is only an abstract.

Mr. *Lyttelton*—continued.

1383. Each year what is the increase of the water consumers in the metropolitan area?—It is given at 130,000, I believe; the net water rental is about 36,722 *l.*

1384. Those springs and wells that you have referred to are situated almost entirely in Kent?—In Kent, and also largely along the valley of the Lee; the New River have a large quantity of water from springs; it is marked on the cartoon.

1385. As regards those springs do you think that much more can be drawn from them than is at present drawn?—Do you mean from Kent or from the Lee?

1386. Take Kent first?——

Mr. *Meysey Thompson.*] When you speak of springs, may I ask, do you mean wells? The wells are in the chalk as I understand; they are not springs in the technical sense.

Mr. *Lyttleton.*] "Springs and wells," we will take it.

Witness.] Not flowing rivers; it would be properly *wells.* When speaking of springs in connection with water supply we mean wells generally.

Sir *Algernon Borthwick.*

1387. A spring is always on the surface is it not?—Yes a spring is on the surface, but if you touch running water it is a different thing to touching it underground.

1388. Very much so; these are wells that you are speaking of?—These are wells that I am speaking of.

Mr. *Lyttelton.*

1389. We are referring now to water deposited in the chalk, the chalk and the sand?—The chalk and the sand.

1390. I do not know what term you call it; we will call it "wells," if that will please my learned friend?

Mr. *Meysey Thompson.*] Yes.

1391. So

Mr. *Lyttelton.*

1391. So far as those are concerned in Kent, do you think any more can be drawn from that source of supply for London?—I think there can be more drawn there to a certain extent, although they are drawing a very large quantity there now. I believe they are drawing now up to something like 17,000,000 gallons from the chalk in Kent.

Sir *Algernon Borthwick.*

1392. At what depth?—At various depths, Sir; some of the wells are deeper than the others. They draw from the surface as near as they can; the pumps are put down the wells to test water that *bonâ fide* comes out of the chalk.

1393. At a great depth?—At a great depth.

1394. Not less than what?—The maximum I think they draw up to is about 17,000,000 gallons.

1395. No, no; I ask no less than what depth?—It varies down to about 300 feet I should think; I should say about that.

1396. Fully that?—Down to that; we do not get water much below that.

Mr. *Lyttelton.*

1397. Do you think, as a practical engineer, that much more can be drawn from the Kent wells for London, or not?—I do not think very much more can be drawn from Kent.

1398. Now as regards the Lee; I suppose nothing more can be drawn from that?—Nothing more can be drawn from the running river, but I understand that they are sinking wells still with success in the Lee Valley, showing how very great the supply of water is in the chalk.

1399. As regards the Thames, what amount is drawn from that every year?—Every year?

1400. Every day, I mean?—I gave that just now. The Thames gives on an average 85,000,000 gallons. The maximum draught on the Thames of all the companies is just on 100,000,000 gallons; it is more correctly 98,000,000 gallons; I call it 100,000,000 gallons.

1401. I believe the maximum permitted by the Thames Conservancy is 130,000,000 gallons?—I believe it is now; a couple of years ago it was 110,000,000 gallons; and I believe by some alteration that they have been able to make they have got up to 130,000,000 gallons.

1402. In your opinion, is that the very extremity, 130,000,000 gallons, that they ought to be allowed to draw?—In my opinion, they should not be allowed to draw more than 100,000,000 gallons. I think they are drawing quite enough, in fact too much.

1403. Are you confirmed in that belief by the inquiry that took place last year upon the Richmond Bridge Bill?—Yes; I was engaged by the authorities of a number of places below Richmond in opposing that Bill; and Sir Joseph Bailey's Committee heard that case and a very great deal of evidence, and we went over the river. I had the honour of accompanying the Committee over the river, and the evidence clearly showed that the Thames was being drawn certainly as far as it should be drawn at the present time. And for the purpose of relieving it they have allowed a lock to be placed below Richmond, which will, to a certain extent, help Richmond, no doubt.

Mr. *Lyttelton*—continued.

1404. Having regard to that fact, and to what you have said as to the Lee, and the wells in Kent, do you think that much more can be gained for London from the present sources?—My opinion is, not from the present sources.

1405. The conclusion you draw from that is that some auxiliary sources of supply are necessary at present, is it not?—That is so; it has been manifest for the last ten years that those auxiliary sources are pressingly needed.

1406. I take it that your evidence only goes to the effect that that should be a supplementary or auxiliary supply?—Distinctly. I do not for a moment suggest such a Utopian thing as altering the supply of course; it is very good.

1407. I believe that was the conclusion of the water examiner, Sir Francis Bolton, some time ago?—Oh yes; I knew Sir Francis Bolton very well; I may say I was intimately acquainted with him; and his idea always was that the supplies of London should be supplemented and that should be done forthwith.

1408. At the present rate of increase of the population, in 1901 the population of the metropolitan area of the water supply will be nearly 7,000,000 people?—Yes, it will be getttng on for 7,000,000, I should think.

1409. Will that population need 45,000,000 gallons a day more than it at present does?—If it increases by a million-and-a-half and you put the water supply at 30 gallons a head, that represents 45,000,000 gallons I think.

Chairman.

1410. Thirty gallons per head per diem?—Roughly, 30 gallons, I think, is what London wants now, rather more or less.

Mr. *Bristowe.*

1411. Do you say that London will want 45,000,000 gallons more than it does now?—Yes; that is taking the population of London at seven millions.

Mr. *Lyttelton.*

1412. Therefore in considering a scheme like the present one for the water supply of London, you have thought it right not merely to use the existing sources of supply, but to take some auxiliary and supplemental sources?—That is my advice distinctly, and the advice of everybody connected with it, I should think.

1413. Now with regard to the supplemental supply which you advocate, do you think the quality of the present water supply good?—Oh yes, very good indeed. The supply of London is very good.

1414. I suppose that the water supplied from chalk wells is the best that is at present supplied?—Yes. We consider that the chalk water, take it all round, is the best water. It is best in a variety of ways. It comes from the greatest depth, therefore it is quite sure it cannot be polluted; and it has one immense advantage, that is, that it comes up at one uniform temperature all the year round, winter and summer, during the hardest frost and during the heat of summer the water is uniform. I will show you some

Mr. *Lyttelton*—continued.

some of it. I will show you how it comes up out of the rock. (*The Witness produced a specimen.*) This is some taken right out of the rock. It has never been in a reservoir, subsided, or been filtered, or anything, but taken straight as it comes out of the rock. You see what a brilliant appearance of purity it possesses. That water comes up, winter and summer, at a uniform temperature of about 52 or 53 degrees.

Mr. *Lawson.*

1415. Is that from one of the Kent wells?—No; that is from my well at Rickmansworth. It comes straight up from the Rickmansworth well. It was taken two or three days ago, but it has not been filtered or touched in any way.

1416. What stratum does that come out of?—The chalk rocks. The well is 300 feet deep, chalk flints. *This* is an actual section of the well, and you see exactly where it comes from. It comes up from those chalk flints. *This* is the well. The well is 300 feet deep. *This* is the top of the well. It shoots right up from *there*, and comes up with immense force *here*. *These* are beds of flints all the way down, and as we penetrate through these beds of flints this water comes shooting up through the iron cylinder.

1417. I suppose it is similar to the Kent wells?—This is very similar to the Kent wells, They are all of the same type, but this is from the Chiltern Hills, the same thing as at Leatherhead precisely. As we pass through these beds of flint the water rises in the well.

1418. Is this similar to the New River wells?—The New River wells are very similar. Indeed, in all the valleys of the Lee, the Ravensbourne, and the different rivers, in the Wandle, the Mole, and all of them we have this similar formation, chalk and a quantity of flints. It is in these beds of flints that the water lies, and shoots straight up.

Sir *Algernon Borthwick.*

1418*. Does it interfere with the water from running streams?—We do not find it so.

Mr. *Lyttelton.*] I am coming to that, Sir.

Mr. *Freeman.*] Will you explain to us where that water in the bottle came from?

Mr. *Lyttelton.*

1419. If my learned friend will allow me, I will take it in my own way; before going into the detail of that particular bottle of water, I rather wish you to give us just a few general observations upon London generolly?—Yes.

1420. London stands, as we all know, upon a bed of clay?—Yes; on a bed of clay.

1421. Below the clay, I suppose, is chalk?—Yes; wherever you sink you come to chalk.

1422. Wherever you sink through the clay you come to chalk?—Wherever you sink through the clay you come to chalk; yes. It is a vast bed of chalk, with clay on it.

1423. In certain districts I suppose it crops out?—Not in London; except just below London. It crops out at Deptford down below; but above it does not crop out until you get beyond Uxbridge or Rickmansworth. It is clay all the way across.

Mr. *Lyttelton*—continued.

1424. There is water in the chalk, I suppose, below the clay?—There is. Wherever we sink here we should come to the chalk. Then we should come to water.

1425. Is the water in the chalk subjected to very great pressure from the clay?—Yes, that is the trouble; if you sink a well in London you get to the water in the chalk, but it has to travel so far from the outcrop underneath the London clay that it is a very feeble supply, and when you begin to pump the water runs away.

1426. Is it in a thin layer?—Yes; the water passes in a very thin layer all underneath London; so that wherever you sink in London you come to it; but it is a weak supply.

1427. The thinness of the layer; the scantiness of the layer, I suppose, is due to the great pressure with which the clay affects the chalk?—Yes, it is. I have demonstrated all that.

1428. What is the result upon the water below the London clay? Where does it flow to?—That water which flows under London flows right away into the tidal estuary of the Thames, and into the sea in fact; it passes away into the chalk, where the river again meets the chalk, and below Deptford right away down. Grays has immense springs. There are springs all the way.

1429. So far as water consumption is concerned for London, is that supply practically lost to London?—A great deal of it is lost. The Kent Company take a good deal of it, but the bulk of it goes into the river to the fish, not to anybody else.

1430. When you come to where the chalk crops out, will you point out where that is; by Uxbridge, I think you said?—Yes, we have the chalk running all the way along *here* (*pointing to the cartoon*). Then it runs away *there*. We have got chalk on *that* side, and clay begins *here*, and it is clay all the way through up to *here*. Then the chalk comes along *here*, at the bottom of the cartoon. I should, perhaps, make it clearer if I show you the sections. (*The Witness explained some geological sections to the Committee.*) This Rickmansworth section shows the chalk; then it shows the overlying London clay taken in line from Rickmansworth down the valley towards Uxbridge, and right away down to the Great Western Railway at West Drayton, which lies *there* (*pointing to the cartoon*). It starts from Rickmansworth, passes down by Uxbridge through Hillingdon, and down by the Great Western Railway, at that point *there*. The idea is to show that the collecting area of water at the back of Rickmansworth (and it is marked on this section) consists of 234 square miles, including all the country up as far as Tring and Berkhampstead. It comes down, and is collected in a great basin 234 square miles, including the five rivers: the Colne, the Ver, the Gade, the Chess, and the Bullbourne; all those rivers collect at Rickmansworth, and the chalk is very highly charged there with water. Then we sink at a point where the London clay ends: and where the chalk outcrops we find that these great springs break out; consequently nature is trying to relieve herself. That being the case, we sink our well at a point where nature shows need of relief

Mr. *Lyttelton*—continued.

relief. The result is that we get these wells yielding this vast volume of water. Then we pump that water (as the section shows) to a section at the top of a hill called Heronsgate. The foot of Heronsgate is level with St. Pauls, 400 feet high; so that the water could gravitate right away to the cross of St. Pauls, if we required it. Then with regard to Leatherhead: exactly the same state of things occurs in *this* section at Leatherhead. There we sink our well at the intersection of the chalk and the London clay, and where the chalk crops out; and we find great springs at that point. We pump the water up in the same way, and we get the benefit of all the rain that falls on Box Hill in the great North Down Ridge, which is chalk, permeable.

Mr. *Lawson.*

1431. Is that your geological map?—*That* is a geological map; *that* shows it perfectly. You have it *there.*

1432. That shows London?—That shows London. Where we are is on *this* side *there* (*pointing to the cartoon*). *That* is the spot, *there*, and *there*; and the other one is down *here* somewhere. It is *that* outcrop *there.* The whole secret of success in these wells is sinking them at a place where the chalk outcrops.

Mr. *Lyttelton.*

1433. Dealing with Leatherhead for the present, what do you say as to the abundance of the supply from the chalk there?—It is very large indeed. Close to our works there are actually springs breaking out, close upon 4,000,000 gallons. That is just close to the works. They are magnificent springs. One of them rises 11 feet above the River Mole, and falls into it. They are most marvellous springs.

1434. Is there more water there than is necessary for the Leatherhead district's present purposes?—Oh, dear me, yes.

1435. Immensely more?—Immensely more. It is out of all proportion. It is because there is such an abundance, of course, that we propose to utilize it somewhere else. They are really wonderful springs.

1436. Can you give us any idea of the amount you expect to get from there?—From Leatherhead?

1437. Yes; I can only give you my opinion; but my opinion is that by sinking judicious wells in the district of the Leatherhead Company (it is a large district, covering some eight parishes, and some thirty square miles of country) in that valley between Leatherhead and Dorking very nearly 10,000,000 gallons a day might safely be relied upon from that part. I do not think that is an excessive estimate at all. There are 4,000,000 gallons in sight going away now.

Mr. *Lawson.*

1438. Do you mean at the present pumping station?—Not actually at the present station. I should take the present station and two or three more. Most companies put their wells some little distance apart. They do not put them altogether. They draw perhaps three to four

Mr. *Lawson*—continued.

million gallons in one spot, otherwise it does depress the water.

Mr. *Lyttelton.*

1439. Would that supply which you have spoken of be taken, in the main, from the rivers or from the springs: I mean, would it have the effect of reducing the supply to the rivers?—In my belief the rivers would be very little affected by it indeed, if any.

1440. The river I suppose at present receives the surface water?—It receives the surface water. You see it is not the river water we take; *that* is not the colour; the river water is green. If you took it out of the river you would find it would be green. It is not suface water. This is deep water from the deep chalk.

1441. In your opinion, therefore, this amount might be taken from these wells without prejudicing the rivers?—That is my belief.

1442. That is as regards Leatherhead?—That is as regards Leatherhead; and the same thing up *there* (*pointing to the cartoon*), the same thing applies.

1443. Of course this must be only an estimate; but can you give us any estimate of what amount you expect from the Rickmansworth district?—Yes. I have formed my own opinion as to a minimum there. I think, considering the largeness of that basin, 234 square miles, that we can very safely indeed depend upon getting 20,000,000 gallons a day up there, not at the station itself but at various points along the valley. I should propose four or five wells.

1444. As regards Rickmansworth, has that supply been the source of previous schemes?—Yes. In a word it has been proposed to supply London from Rickmansworth for 250 years. The first time that proposal was made was in 1641. The King, I believe, promoted the Bill. It was to get water from the same place that we propose to go to, just below Rickmansworth, a place called Harefield. Of course the king had got in his mind the success of the New River scheme, which his father had carried out, which takes the great springs from the Lee; and it naturally followed that as the west of London was growing very greatly at that time they were very anxious to get water from the Colne, which is an adjoining basin to the Lee, and the natural basin; and a Bill was brought into Parliament, I think in 1641, but owing to the troubles with Strafford and the Civil Wars, it fell through. During the next 150 years attempts were made at various times, I believe in the reigns of Queen Anne and George I.; and all sorts of people tried until in 1798, I think it was (it is all given in Major Bolton's book), an Act was passed in conjunction with the Grand Junction Canal for bringing water from that part, Rickmansworth, Harefield, and all about there, to Paddington, which was greatly in need of it. That Act passed. So that Parliament really has sanctioned the predecessor of this undertaking.

1445. Afterwards did Stephenson, the great engineer, take it up?—Yes. I will just finish this story first, because I have not got to Stephenson yet. I am 50 years before Stephenson. What happened to that Act was this:

Mr. *Lyttelton*—continued.

this: when they got their powers to make that canal they found the canal so very much more profitable that they came to Parliament and got released from the obligation of supplying Paddington with water; and they formed another company, which was called the Grand Junction Water Company, which took its water from Kew, that being very much nearer, from the Thames; and they abandoned the water from Rickmansworth. The Grand Junction Canal Company is the name of the Canal Company: and the Grand Junction Waterworks Company is the name of that great water company which supplies all that Paddington district now, and which draws its water from the Thames.

1446. Without going into great detail, did the great engineer, Stephenson, take up the scheme of water supply from Rickmansworth?—Yes, he did. I have got his report; but, in a word, Stephenson, when he made the London and North Western Railway through Watford found this marvellous supply of water in the chalk, and he started a company called the London and Westminister Water Company (50 years ago) to utilise that water. He made a very exhaustive set of experiments at Watford; but the power of the millowners, obstructive people in those times, threw his Bill out. It would have been a most valuable undertaking. As I say, it was 50 years ago, and was, no doubt, premature, because the Thames has answered, no doubt, up to now very well.

1447. Do you know what the rainfall is upon the 234 square miles you have mentioned?—You may take it at 25 to 26 inches a year; you may take that as a fair average. What we find with regard to that rainfall is this (it is a very simple problem after all): that of this 25 or 26 inches (this is how Stephenson found it out and how we see it) the rivers only count for something like five inches of rain. The question is where all the rest of the water goes to. It is manifest that it sinks into the chalk and passes away in these subterranean streams. Stephenson immediately ascertained that, and he immediately saw the great wealth of water underneath; and he was quite right.

1448. How much do you estimate yourself, as a safe estimate, would go into these wells?—All I propose to deal with is this 20,000,000 gallons that I propose to take. The 20,000,000 gallons which I take over that area represent somewhere about, I think, 2¼ inches; I propose out of the 25 or 26 inches that falls, to utilise for London about 2½ inches only, about a twelvth; and I do not see that anybody can find fault with that.

1449. You think you are well within the mark?—Oh, yes; miles, in fact. We might take much more.

1450. In recommending the addition of this as a supplementary supply, the Rickmansworth and Leatherhead sites, do you consider that you are supported by the authority of Parliament?—Yes; Parliament has sanctioned three sites. We have three Acts, and all these three Acts have been passed during the last 10 years, in view of the coming need of London; and I may further say——

Mr. *Baggallay.*] The Acts speak for themselves, do not they?

Witness.] And I may further say, assisted by the water companies; they have seen it coming.

Mr. *Lyttelton.*

1451. Have those Acts of Parliament authorised the supply by these companies of water in bulk to other undertakings?—Yes, they have. Our Act is very very strong indeed. In our Rickmansworth district we have power to sell any water to a water authority, or anybody within or without the district; and we have got unlimited powers to sell any quantity of water (Parliamentary sanction), with this proviso, and this proviso only, that we may not sell it outside the district until the district has been properly supplied; that is to say, the district has got a first claim on all the water. Shall I read you the clause? It might be worth while.

Mr. *Murdoch.*

1452. Did you say that Parliement sanctions that?—Yes, in three Acts of Parliament.

1453. So that you could do it without any further sanction?—We could to-morrow sell any amount of water to London that London wants if it would buy it of us. I will read you the Act.

Mr. *Baggallay.*

1454. Do you mind letting us have a look at those Acts while you are going on?—I have only one copy; you shall have that after I have read from it: "The company may from time to time enter into and carry into effect such contracts and arrangements with any corporation, sanitary or other authority, and the trustees of any turnpike or other road, or any highway board, or any surveyors of any highway or any railway company, or any other companies, bodies, or persons, with respect to the supply of water in bulk or otherwise, as the company think fit for any purposes whatsoever, within and without the limits of this Act, and every such contract and arrangement may be for such period on such terms, pecuniary or otherwise, and conditions as the company think fit, and may from time to time by agreement vary, suspend, or rescind any such contracts." That is the substance of the clause; but that is protected in this way by the next clause, No. 38: "Notwithstanding anything in this Act contained the company shall not supply water to any such corporation, body, or person beyond the limits for the supply of water by this Act authorised if and so long as the affording such supply would prevent the company from giving a full and efficient supply for domestic purposes within the limits of this Act."

Mr. *Meysey Thompson.*

1455. Is that the Rickmansworth Act?—It is both Acts; indeed all three.

1456. Which are you reading from?—From the Rickmansworth Waterworks Act, 1884; and I have here another which received the Royal assent on the 21st May 1885; there are three Acts.

Mr. *Lyttelton.*

1457. You say that the Leatherhead and Rickmansworth districts are protected by the proviso which you have just read?—Yes.

1458. But

Mr. *Lyttelton*—continued.

1458. But there is a provision otherwise which enables you when they are sufficiently supplied, to supply in bulk to other undertakings?—That is so.

1459. I do not know whether the Committee care about your reading the Leatherhead Act also.

Chairman.] No; it will be quite sufficient to ask him whether there are similar provisions.

Witness.] I believe they are very similar.

Chairman.] The counsel on the other side can cross-examine upon that if they wish to do so.

Witness.] They are to the same effect if not in the same words.

Mr. *Lyttelton.*

1460. I really do not wish you to read it, Mr. Grover?—All right.

1461. Were these undertakings patronised by any of the great water companies at the time of their inception?—At the time of their inception these were not; but after the wells were sunk and the water was shown to be there and tested, they were supported by members of two of the great London companies.

1462. Which are they?—One, the southern one, near Leatherhead, was very much assisted by Mr. Louttit, the secretary of the Lambeth Waterworks Company. He kindly brought his directors down to examine the springs; the chairman, Mr. Bouverie, took shares in it and expressed very high admiration of the nature of the springs; and it was recommended to the shareholders of the company, and we had great assistance from the Lambeth Company; and the idea has always been that the Lambeth Company would at a very short period take water from there. With regard to the Rickmansworth works ——

1463. Before you leave that, did the engineer of the Lambeth Company accompany you over the undertaking?—The engineer, Mr. Taylor, came down with the directors and his chairman, and examined the springs; Mr. Louttit is in the room and can correct me if he does not agree with what I am saying, when I say that the chairman of the company expressed very great admiration of and interest in the springs.

Mr. *Louttit.*] Only to a limited extent; it was only a limited expression.

Witness.] A guarded expression; he expressed a considerable amount of admiration.

Mr. *Littelton.*

1464. At any rate it was sufficient to induce Mr. Taylor to recommend it to his directors?—As a fact one of the Lambeth directors came on to the board and has been on the board ever since, from the result of his inspection; and the chairman took some shares, that is, Mr. Bouverie, the chairman of the Lambeth Company.

1465. Was there any difference of opinion between you and Mr. Taylor with regard to the goodness of the supply?—Oh, dear me, no; never.

1466. Was it a practical agreement with him?—Entirely; the only thing was as to drawing upon the Thames.

Mr. *Lyttelton*—continued.

1467. As regards Rickmansworth, will you tell us whether that undertaking received any support, and from whom?—The chairman of the Uxbridge and Rickmansworth Valley Water Company is Alderman Sir Henry Knight, the chairman of the Southwark and Vauxhall Water Company; and Mr. Tritton, one of the directors of the Southwark and Vauxhall Water Company, is also a director; Mr. Bousted, one of the directors of the Lambeth Waterworks Company, is also a director. When the springs were first discovered by our borings they sent their engineer down. Attention was drawn to the springs, and they sent their engineer, Mr. Restler, down, and he went over the springs and examined them; and his report was so favourable that Sir Henry Knight and the directors came; and I may say this, that they have supported it all through and recommended it to their shareholders as being a supplemental supply for London, in the same way that the Lambeth Company have done on the other side; so that they are both affiliated companies, so to speak, in connection with the London water companies.

1468. Then in your view, both the Rickmansworth and the Leatherhead undertakings being adjacent to the London undertakings, are the natural sources of supplemental supply?—They are the nearest and the natural, and the obvious; and the only ones at present near.

1469. In that view, so far as you could discover from constant co-operation with them, did the authorities of the Southwark and Vauxhall and the Lambeth Waterworks authorities concur?—Distinctly.

1470. In the scheme of tapping these chalk sources, are you only carrying out the policy of the water companies so far as you can gather it; I mean having recourse in the past to the chalk as soon as the flowing waters have been largely abstracted?—I think so. You have the case of the Kent largely carrying up their supply from that source; you have the case of the East London and the New River, both of them continually sinking wells, and doing all they can to supplement their river supply with the chalk water wherever they can. They are always more or less sinking wells.

1471. I do not understand you to make complaint of the sources derived from rivers; but I think you naturally have a higher opinion of that beautiful water you have shown us a specimen of?—I have; the difficulty with the rivers is this, that you have got the growth of population continually going on, and that is no doubt causing the rivers to be less desirable every years.

1472. On the whole, therefore, do you think having regard to all these circumstances that these two undertakings are the best supplementary sources of the present supply?—Most distinctly they are, and the only sources that I know of.

Cross-Examined by Mr. *Freeman.*

1473. I take it that the result of the examination which my learned friend has been putting to you is that you have very carefully considered

Mr *Freeman*—continued.

the whole question of the water supply of the metropolis?—Yes.

1474. And for a considerable time past?—Fifteen years, or twenty years.

1475. Have you, yourself, had any actual personal experience of the water question otherwise than that derived from the two companies which you have mentioned?—Yes; I am engineer in another company down there, just bought up by the Kent Company. I am engineer for five companies in the Thames Valley, all the way up to Newbury.

1476. Are you connected in any way with any company or any source which is at present supplying the metropolis?—No.

1477. Then I may take it from you that your opinion is that the present sources from which the eight companies are deriving their supplies are taxed as much as they fairly ought to be?—Yes, I think so. That is, generally, my opinion.

1478. And that beyond all question the supply must be very considerably increased within the immediate future?—That is so.

1479. Do I understand you to say that in your opinion the actual sources, without exception, from which the eight companies are deriving their supply, are at present unsatisfactory in the way of purity?—No. There is a certain amount of trouble in some places; but I do not think there is very much in it.

1480. A considerable amount of trouble, is there not, both with the Lee and with the Thames?—The Lee is unsatisfactory, no doubt, to a certain extent. They over-pump the Lee. Indeed, in the summer I believe it is a fact that no water at all gets past the intake of the company; that below the intake of the company it is a ditch. There is some 59 million gallons a day coming down, and they take 59 million gallons. They pump it straight out. That is the unfortunate part.

1481. So that your objection to the Lee is that it is really at the present time over-pumped?—Yes, in summer. There is no doubt it is very bad.

1482. You are aware, no doubt, that there are complaints made that the state of the Lee itself is not as pure as might be desired for drinking water?—The water examiner's reports seem to show that the East London Company do get a very fair quality of water out of the Lee. Although, of course, it is very raw material when first it comes out, I think they manage to cook it.

1483. A very different material from what would be obtained from Rickmansworth or Leatherhead?—They do not get water like that.

1484. It has quite a different look?—It is quite a different colour. It is not *that* colour, (*pointing to the sample*).

1485. Would you extend the same remark to the Thames, would you say that is over-pumped at the present time?—I say the evidence given last year in these rooms, and the evidence given before Sir Joseph Bailey's Committee who inspected the river, showed that the Thames was very hardly pressed in summer.

1486. So hardly pressed as to be almost over pressed?—Almost over pressed. It is about a

Mr. *Freeman*—continued.

fourth I think of the quantity that is taken by the water companies in summer. There is the minimum somewhere. I have got it here somewhere. It is under 300,000,000 gallons coming down in the summer over Teddington Weir on certain days, and the companies are drawing 98,000,000, so that they are drawing practically a fourth in summer.

1487. More than a fourth?—Adding the two together, 400,000,000. Supposing there were no companies, that is the maximum.

1488. So that in your opinion if it could be done practically, instead of drawing more water from the Thames, the quantity should actually be diminished?—Decidedly. I quite agree with you there. Every spoonful you can leave in the river the better.

Mr. *Bristowe.*

1489. Does it not run off?—At Teddington it goes over the weir.

1490. I understood you to say a larger amount goes over the weir than is taken by the companies; therefore if it goes over it does not come back again?—It does not come back again when it goes over.

1491. It is waste?—It supplies the towns and places below.

1492. There is a tidal stream there up to Teddington Lock?—There is a tidal stream up to Teddington Lock.

Mr. *Freeman.*

1493. Of course, if you take a third or a fourth of the river out of it, by that amount there is less water to flow down to the places on the banks of it?—Quite so.

1494. And that has become so much a matter of complaint that a Bill was promoted last year to try and remedy that, was it not?—Yes, I have alluded to it. I was engaged in the inquiry.

1495. Would you also say, as regards the quality of a great deal of that Thames water, that it is not altogether desirable?—I think, as a rule, the evidence is that the Thames water is very fair. The trouble is this, that they are drawing at Sunbury, Moulsey, and a number of other places, by underground pipes by the side of the river. They have extended these pipes, and no doubt as people build houses and have cesspools in the neighbourhood, the strata being gravel, there is a chance of that water getting contaminated.

1496. And another element which has been growing of recent years is the house-boats on the river?—Yes, they are a horrible nuisance; shocking.

1497. Let me point out to you another very serious matter: In time of flood an enormous amount of very bad refuse is brought off the land?—Yes.

1498. It being the growing custom to bring very objectionable refuse from London to spread upon the land?—Yes, that is an objection to the river. That has been so for many, many years; but I do not think you can start that as anything new, because you have an answer to that in the report of the water examiner, which is very favourable to the Thames companies, all of them.

1499. But

Mr. *Freeman*—continued.

1499. But of course you are aware that the companies have themselves had from time to time to alter their intake, with a view, if possible, to get it into a purer part?—The tendency is always to move away, to get higher up, to get to a purer part; but I do not think they draw any down at Thames Ditton.

1500. I may take it then that, in your opinion, it being necessary to very largely supplement (to use your own words) the present supply, the only two resources which you see immediately available are the Rickmansworth and Leatherhead sources?—Those are the nearest. Of course I can see others beyond.

1501. And those two companies are companies that you yourself are professionally connected with; as I think you told us, in examination-in-chief, you are the engineer?—That is what I am. I am only engineer for them.

1502. How much are you pumping at the present time?—It is a very small quantity indeed; it is only for the district.

1503. About how much?—The population in my time, three years ago, was 10,000.

1504. I only want it roughly; I do not think they pump above 120,000 gallons a day. It is a mere nothing that they are pumping compared with London.

1505. That is at Leatherhead?—I think so; but I tell you I am only the engineer, and for three years the works have been finished, and these companies do not trouble the engineer more than they can help.

1506. Can you tell me, in the same rough manner, what you are pumping at Rickmansworth?—That is not yet out of the hands of the contractors. Messrs. John Aird and Co. are the contractors; they do not hand it over until to-morrow, the 8th of May; we are only there for pumping up to about 400 houses (that is about the number they have there) before it is taken into the hands of the company.

1507. Then there is no practical test there at all?—Except for the 400 houses that we have got there just to help the people while the works are going in; but the works are not complete.

1508. I may take it from you, may I not, that the 30 million gallons which you estimate to be got from these two sources are purely a matter of professional speculation?—Oh dear, no.

1509. I mean you have no actual test of it?—I have got the actual test of the wells which I can give you, most exhaustive tests. They are published.

Mr. *Rickards.*

1510. What test have you made?—The tests are all published in the journal of the Institution of Civil Engineers; they were made four years ago. They are very exhaustive and very carefully-made tests of both wells. I am afraid I should take up too much of your time in this room if I gave them to you. It is a very difficult thing to test a well, it requires a lot of machinery, but I have tested these wells very exhaustively indeed.

Mr. *Freeman.*

1511. If you tell me that, it is not necessary to occupy the time of the Committee by details?—I will tell the Committee in a moment.

Mr. *Freeman*—continued.

1512. Kindly attend to me.—May I hand the Committee a copy of the tests?

1513. Hand them anything you like.

Chairman.] If you will state the result it might be more convenient; we migh like to look at it afterwards. Can you state the results of your tests? I understand that is what you want?

Mr. *Rickards.*

1514. (To the *Witness*). Have you the result of the tests *there*?—Yes, they are all given *here.*

Mr. *Freeman.*

1515. May I take it from you shortly that the result of your tests is, in your opinion, that 30 milli n gallons a day may be relied upon from these two sources?—Yes, I think that is sufficient.

1516. Is that the outside which, in your opinion, can be fairly relied upon?—To begin with; I should start with that.

1517. You would start with that?—Yes; but I may say this, that I am of opinion that a great deal more could be got from there, and a very great deal; I think taking 2½ inches is too little.

1518. Do you know sufficient about works of going and existing companies to say whether in many cases they are nearly worn out at the present time?—Some of them are old, but they are renewing them. The companies are constantly renewing. The worst feature, of course, about the companies is the pipes; many of the pipes are old, they were laid in old times; and no doubt they would want a good deal of overhauling.

1519. And of course if the companies themselves require to increase their supply, the Thames and Lee practically as you say being closed against them, they would have no power to take your water from you?—The companies have no Parliamentary power to take water from us, but we have no Parliamentary power to sell to them.

1520. The only position would be that the companies which took it would have to buy the water from your companies?—The companies which could take it would have to buy the water from us; and we have Parliamentary power to sell.

1521. Considering the unsatisfactory quality of some of the sources of supply, have you ever taken into consideration the proposal to very largely indeed supplement the present supply of the companies from a new source?—Yes, I have read proposals.

1522. Have you ever considered them practically?—Heroic remedies, no.

1523. Nothing beyond Rickmansworth and Leatherhead?—Oh, yes; I have considered the Thames Valley. There are 1,200 square miles in the Thames Valley, right away up to Devizes. You can keep on drawing up to Devizes 1,200 square miles of chalk; all the chalk is equally available with this, only I begin with the ones which are nearer.

1524. And do not you consider that in dealing with such a question as that of this metropolitan

Mr. *Freeman*—continued.

water supply, the whole question should be very carefully considered before any steps which would restrict the authority to a particular line of policy are definitely adopted?—I think it has been considered. It has been considered for 70 years.

1525. Considered sufficiently, in your opinion?—For 70 years; inquiries began in 1821.

1526. According to your evidence, for 250 years people have been considering Rickmansworth?—Oh yes, 250 years, Rickmansworth.

1527. But it has never come to anything?—No; that is because you cut off the King's head.

1528. There were a very unfortunate series of events connected with it?—Yes; no doubt a very unfortunate series of events.

1529. Have you considered the question at all of the outlying bodies which are not in the metropolitan area, but are in the water area supplying themselves, purchasing the existing mains?—There is great difficulty about that.

1530. Is there?—Immense difficulty. I might venture to take it like this: it is like selling one's arms and leaving one's body. These reservoirs and pipes are all parts of the system; you cannot cut off one part without interfering with the whole. Take Ealing; you have the great reservoir there of the Grand Junction Company, marked in black in the cartoon; all that district round the Great Western Railway really is supplied from that Ealing reservoir. You could not sell that district to an outside body.

1531. Do you represent that from an engineering point of view there would be the smallest difficulty in allowing these districts to supply themselves as they desire?—I should say offhand, immense difficulty.

1532. You are aware that under the Bill as it now stands it is proposed to exempt Croydon?—But Creydon is exempt; it exempted itself.

1533. And to exempt Richmond?—But Richmond has exempted itself; they have got rid of the Southwark and Vauxhall Company. Many years ago they turned them out.

1534. As that has been found feasible in certainly two instances, why should not it be feasible in other instances?—That is *au fait accompli;* they have done it, they have actually got rid of the company there in both cases.

1535. I understand your saying that there may be some difficulty; there may or there may not be; but in your engineering point of view, do you pledge your position as an engineer that it would be an impossible thing to do?—It would be very difficult to do. It is a question of money, of course; you would have to pay a lot of money in establishing fresh reservoirs, fresh connections with your pipes, and there would be all kinds of troubles and difficulties. Our great idea in a waterworks it is to work everything from a central station. In Rickmansworth I have two men at a pumping station; they send water over 40 miles of mains; those two men do that; but if you had half-a-dozen different reservoirs about, you would have immense expense.

1536. Your idea is in the future that from Rickmansworth and Leatherhead water could be supplied to supply all these different parts within the area?—To supplement them.

Mr. *Freeman*—continued.

1537. To supplement them?—Yes, to supplement distinctly. The pressure would be too great, of course, from Rickmansworth for some parts. What we should do would be to bring the water from Rickmansworth to this Ealing reservoir of the Grand Junction Company, and then from there distribute it through the mains of the Grand Junction Company. We could not disturb the others.

Cross-examined by Mr. *Balfour Browne.*

1538. Mr. Wilkins did not know what I believe you know. You are connected with the Leatherhead Company, of course: you are engineer to the Leatherhead Company as well as to the Rickmansworth, are you not?—Yes, but I am only engineer to it.

1539. "Only engineer"; what else did you expect yourself to be?—I might be chairman.

1540. Perhaps if you were chairman you might know more about the matter?—My name is on report.

1541. If you had been chairman you would have risked some capital in it?—I have.

1542. You have done that?—I have done so.

1543. Oh! I understand; and this is a good way of getting the money back?—No, not at all, Mr. Balfour Browne; I must correct you. I sold my shares last year; I had a thousand pounds worth. I have not a share in either of the companies directly or indirectly.

1544. I see, merely upon the "boom" of your coming to Parliament?—I sold them before you gentlemen were heard of.

1545. Did you; I congratulate you; but I am sorry for the people who bought the shares?—It is a very good man who bought them.

1546. I dare say you know that last year this company has not only been selling some of its shares but been willing to sell itself to several people?—Which company?

1547. Well I am bound to say both, but I will take the Leatherhead Company first?—Willing to sell itself?

1548. Yes?—I do not know what you mean by "willing to sell itself." They have sold shares no doubt.

1549. I will take these that I have?——

Mr. *Rickards.*] Which company?

Mr. *Balfour Browne.*] The Rickmansworth is the first.

Witness.] Rickmansworth. Take that.

1550-51. Has not the Rickmansworth Company been offered for sale to several of the London companies?—To my knowledge never, in this way ——

1552. You mean, not to your knowledge; not to your knowledge never?—Mr. Frazer, the chief engineer of the Grand Junction Water Company and I have often had long talks; we are both in thorough accord in the matter. Mr. Fraser, if he is in the room I am sure will corroborate me. We have always wished to see how to get this water from here to his reservior at Ealing, and we have often talked the matter over in that way; but so far from the company having wished

Mr. *Balfour Browne*—continued.

wished to sell, our directors have a very strong idea that they do not want to sell at all.

1553. Not wish to sell at all?—They do not wish to sell at all to anybody; they are quite satisfied.

1554. First of all was it not offered to the Southwark and Vauxhall Company?—The chairman of the company is the Southwark and Vauxhall Company's chairman, Alderman Sir Henry Knight, late Lord Mayor of London.

1555. Do you know that it was offered to that company?—Never to my knowledge was it offered to that company at all. They asked the shareholders to take up some shares, I believe, and the shareholders did it.

1556. I am coming to the other company; did you ever offer to sell 10,000,000 gallons of water from that company to the New River Company, per day, of course, I mean?—I do not know that we ever did; I do not remember our doing so; I do not see how we could, because we cannot get across.

1557. Never mind, you might have done it?—We might have said that we had got 10,000,000 gallons a day to sell, and I have no doubt we did, and it is a very proper thing to say; and that we have got Parliamentary authority to sell.

1558. Perhaps I was wrong in asking you what the company might have done; have you never gone to anybody to negotiate a sale of this company; you personally?—Personally I think I have talked to every one of the London companies myself about it, that I can remember.

1559. I should think so?—Every one.

1560. With a view to getting one of them to purchase the company?—No, no, I never did that; I never tried to get them to purchase the company.

1561. What did you talk about?—What we did was this: When there was this great supply of water found there, I talked to Mr. Coope, of the East London Company, and Sir Henry Knight, and Mr. Bouverie of the Lambeth Company, all three gentlemen I am personally acquainted with, about it, and drew their attention to this volume of water which there was, and to the Act of Parliament which enabled us to sell it, and asked them to co-operate with us and come on; and Sir Henry Knight did so.

1562. To co-operate with you and "come on"?—To come on to the board; it was a local company first of all; and when we found this quantity of water there it was evidently desirable that it should be more than a local company, in fact that it should be a company of much more serious importance.

1563. Did you ever offer it personally to Sir Richard Wyatt?—I have not the pleasure of Sir Richard Wyatt's acquaintance.

1564. That would not prevent you offering it, I am sure?—How could I? I am nobody. I am not even a shareholder.

1565. Did you or did you not try to negotiate a sale of the company with Sir Richard Wyatt?—Do you mean Sir Richard Wyatt in Parliament street?

1566. Yes?—I have spoken to him about it; I dare say I did. I think most of the companies in London have been spoken to about it.

1567. You may have spoken to him although you have not the pleasure of his acquaintance?—I understand now; you mean Sir Richard Wyatt. There are two Wyatts.

1568. Then it is the other one you have not the pleasure of his acquaintance?

Mr. *Rickards.*] The witness means Sir William Henry Wyatt.

Witness.] Sir William Henry Wyatt. There are two Wyatt's. I know Sir Richard Wyatt very well. It was the other Wyatt; he is the chairman of a company.

Mr. *Balfour Browne.*

1569. Just to get something about this company, let me ask for one or two facts, the whole of the population within its limits of supply was, how many?—The Rickmansworth do you mean?

1570. Yes?—Under 20,000; about 19,000.

1571. Eighteen thousand four hundred and fifty-five, I have it?—Yes, but it has considerably increased since.

1572. Ane with that population, even taking a liberal allowance, would 350,000 gallons a day do for it?—If you put down 20 gallons a head, and multiply it out by 20, that will give it you.

1573. Would 300,000 or 400,000 gallons a day do for it?—Yes, I should think, amply so.

1574. We will come now to the Leatherhead Company; first of all, before I go to that, besides this company is there a Mr. Webster who has wells close to?—Yes. Mr. Webster is a gentleman who has a large park on *this* side of the Rickmansworth Company's works, and he heard my evidence which was given originally before the Parliamentary Committee I have referred to; he was in the room, and he went down and bought some of the land in the valley immediately adjoining; and I think he spent something like 20,000 *l.* in testing the site of the wells; and I thankful to say he has thoroughly corroborated my views about the quantity of water to be found there.

1575. Never mind about the corroboration of your views; just let me ask you this: is it not a fact that he found large quantities of water?—An immense quantity.

1576. And even at the present time the springs he struck are flowing at the rate of 500,000 to 600,000 gallons a day there, are they not?—They are flowing very largely close to that blue spot on the map; the same spot we are at.

1577. You are not the engineer for Mr. Webster's well, I take it?—No.

1578. Therefore there is no proposal before this Committee to take Mr. Webster's water?—No none; but, of course, if this were carried out Mr. Webster would no doubt come into it, and we should no doubt co-operate with Mr. Webster.

1579. He would come into the swim too, you think?—Well we should supply the water. We have got the water to supply, and we must supply it; it is our duty to supply the water; you want the water and we have got it.

1580. I beg your pardon, some of the people in that district want to keep that water and not to let you steal it.

Mr. *Rickards.*] You shall have it.

Witness.] "Steal" it: that is a very hard word.

Mr. *Balfour Browne.*

1581. Now I will come to the Leatherhead Company; that was founded in 1883, was it not, and its total capital is 25,000 *l.*?—They have spent something like 31,000 *l.*

1582. I dare say; that is very likely?—I think that is about what they have spent.

1583. And the population to be supplied was stated in the prospectus as 9,737, was it not?—Yes, under 10,000; but that is very largely increased since.

1584. And the contract price was 24,000 *l.*; the contractors took 4,000 *l.*?—That is it.

1585. Have you ever offered this company for sale to any of the London companies?—I have often talked to Mr. Loutitt about it, and I did all I could do to persuade him to buy it.

1586. Mr. Loutitt is the manager of the Lambeth company, is he not?—Quite so.

1587. You did that without success?—Without success.

1588. And now you have found somebody who is not so sharp as Mr. Loutitt, and got them to take it?—The vestries, of course, have the opportunity of forming their own judgment the same as everybody else.

1589. I will pass from that. Have you any provisional agreement with either of these companies; that is to say, the promoters of this Bill; for the purchase of their undertakings?—Certainly not; neither of these companies, so far as I know, have anything whatever to do with this Bill at all.

1590. You are certain that there is no provisional agreement for the purchase of those companies?—No, there is no provisional agreement to my knowledge; in fact, I am certain there is not; I should have heard of it if there had been; there is nothing at all. The only connection there is between the promoters and the companies is myself. These Trust people came to me entirely independently, from my having carried out a good deal of work in this country, and asked me if I would act, and I said I should be very happy to act for them, and I drew their attention to these Acts of Parliament, which it was my duty to do.

1591. Now just one or two questions about that: the water of the Colne enters into the River Thames on the right bank just above Staines, does it not?—Yes.

1592. And the Mole, which the Leatherhead Company affects, 4½ miles above Teddington Lock?—Yes, that is so.

1593. I know what your theory is, and I will have a question or two to ask you upon it immediately; but I take it that if you thought that the pumping of water either at Rickmansworth or at Leatherhead would affect the water flowing into the Thames that would be a serious matter would it not. I know your theory that it does not affect it, and we will test that immediately; but suppose we can convince the Committee that pumping anything like 10,000,000, 20,000,000, or 30,000,000 gallons a day (that is what you propose) from Rickmansworth would

Mr. *Balfour Browne*—continued.

be taken not directly but indirectly out of the Thames, would that be a serious matter to the Thames?—I do not know. There is a great deal too much water in that valley of the Colne as it is; it is all water.

1594. Too much water?—You can see yourself the quantity by the streams there are below Uxbridge down there; there is water in every direction.

1595. I suppose the water in the valley of the Colne gets into the valley of the Thames?—It does.

1596. Is there too much water at the present time flowing past the company's works?—No, there is not too much water in summer; there is plenty of water in winter. If you will give me time and let me answer I will tell you.

1597. I will give you time; we have got all the Session before us. I will confine myself to the summer then?—Yes.

1598. In summer the deep water is the water which would principally feed the Thames is it not, deep springs?—Not *those* deep springs.

1599. Never mind, I know your deep springs, but take it generally; the deep springs are those which are relied upon for the summer flow?—Yes, in a purely chalk district; you are quite right there; but we are not in a purely chalk district.

1600. And if the effect of this pumping had the result of affecting the water which was the summer supply it would be a serious matter for the Thames, would it not?—It would be objectionable, of course, to take away the water from the Thames.

1601. Do you think the water at the intakes should be diminished any more than it is at present?—No, in summer certainly not.

1602. Certainly not, you say?—Distinctly not.

1603. And anything that did have the effect of diminishing the summer flow of the Thames past the intake would be a matter to be deprecated?—Most distinctly and clearly.

1604. And if we can show that taking over the Rickmansworth water as you propose on the Leatherhead water would have that effect, it is a thing that Parliament should not listen to?—The Leatherhead you need not trouble about, because it comes in below the intakes; the Mole goes in below the intakes; do not trouble about these.

1605. I will "trouble," because it has to do with the navigation below, at any rate I will deal first with Rickmansworth if you will follow me?—Yes, I follow you.

1606. If it would affect the summer flow it ought not to be listened to by Parliament?—That is putting it rather strong. It would not be so desirable of course to attempt it. If it does affect the summer flow it will not be so desirable as it would be if it does not affect the summer flow; I will put it in that way.

1607. That I follow?—I agree with you there.

Mr. *Pember.*] Would you allow me to ask, Sir, as my learned friend says he does not object, something which is personal to myself. I should propose to ask at some period this

this gentleman some questions on behalf of the water companies, but this is one of those occasions when I feel that it would not be well for me to cross-examine the gentleman without knowing what he has said in chief; and as there are some others to come before me who will cross-examine him, and my learned friend Mr. Balfour Browne says he shall be some little time yet, may I ask that you will postpone my cross-examination until your next sitting.

Chairman.] Is any other counsel going to cross-examine?

Mr. *Pember.*] Yes.

Chairman.] Then I think it is reasonable that your cross-examination should be postponed until our next sitting. I think we agreed to take the Southwark and Vauxhall Bill on Tuesday, therefore it may be Wednesday.

Mr. *Pember.*] I am not asking for any particular day; I only ask that it may be postponed until your next sitting on this Bill.

Chairman.] Yes, that is reasonable.

Mr. *Balfour Browne.*

1608. (To the *Witness.*) You know, I dare say, that the Thames Conservancy have said that not more than 130,000,000 gallons a day shall be taken from the Thames basin?—That is so. I have given that in my evidence.

1609. I did not know that you had?—100,000,000 gallons a day is now being taken.

1610. You entirely concur in the expediency of such a resolution?—What I said was this: that I thought it a great pity that that other 30,000,000 gallons should be taken.

1611. I want to get your mind upon the subject?—It is a pity to take it if you could help it from the Thames.

1612. I understand you really in this way; that you think the limit should be placed even lower than the Thames Conservancy have put it?—I think the limit should be placed at 100,000,000 gallons, or at the outside, 110,000,000 gallons a day. In my book I think I say somewhere——

Mr. *Bristowe.*

1613. You have said 100,000,000 gallons before in your evidence to-day?—110,000,000 gallons a day was the right amount.

1614. You have said to-day that you thought it should not be more than 100,000,000 gallons?—100,000,000 gallons I think is quite enough.

Mr. *Balfour Browne.*

1615. Is it important that the water that does flow down should come from exceptionally pure sources of supply?—Yes.

1616. And the Rickmansworth water, if that is it in the bottle, and I suppose that is it ——?—That is it.

1617. That Rickmansworth water is an exceptionally pure water, you say?—It is a beautiful water.

1618. If, contrary to your belief, that water would, but for the pumping, get into the Thames, it is important that it should be left to the Thames, is it not?—Yes; but you will bear this in mind, that if you take water from there ——

1619. I do not know where "there" is?—You do not require it down at the pumping station; if you take water up at Rickmansworth you do not require it at the pumping station too.

1620. Are you proposing, then, to give up the intakes on the river?—Oh! no, not at all.

1621. It is quite certain that if you take it up "there," as you call it, you cannot get it down at the pumping station too.

Mr. *Rickards.*] That does not follow.

Witness.] You must not say those things.

Mr. *Balfour Browne.*

1622-3. I am going now to your paper. You say in that: "It is often said that wells sunk in the chalk have the effect of abstracting water from the rivers," and you go on: "This is true where the district is all chalk"?—Yes, that is so.

Mr. *Rickards.*] You had better take your paper in your hand, Mr. Grover.

Witness.] Yes, he is reading it right; I know it by heart.

Mr. *Balfour Browne.*

1624. I daresay you have refreshed your memory, thinking that paper might be of use to us?—It is the very foundation.

1625. At page 5 I have a nice little diagram; if I understand it, you mean that where the district is not all chalk, but where it is covered, as in some cases it is, by impervious clay, you might take water by pumping that did not get into the stream?—Yes; that is the basis of the whole thing.

1626. That is the theory?—That is the basis.

1627. Now, if you have before you page 5, let me ask you a question about it?—Yes, here is a sketch of it.

1628. There is is a little diagram, showing a well sunk just at the edge of where the chalk ends and the clay begins.

Mr. *Rickards.*] It is page 7 of my copy. The paper has gone through a good many editions, apparently.

Witness.] It is published by the Institution of Civil Engineers.

Mr. *Balfour Browne.*

1629. I want just to see if I understand it. You say H. K., those are the letters?—Do you mean on diagram 5?

1630. Diagram 5, figure 3; you see H. K.?—Yes, I see H. K.

1631. There you have on the top of the chalk a layer of what you call "impervious clay"?—Yes, that is right.

1632. Do I understand that if a well is sunk at H. K.; you could pump water from the chalk which would but for your pumping have been in the stream?—You might pump water down at K., which would not get into the stream at all.

1633. That

Mr. *Balfour Browne*—continued.

1633. That is what you say?—That is what I meant to say, and what I have said.

1634. Chalk that is super-saturated is as good for water flowing over as clay, is it not?—Decidedly.

1635. So that if that "G. J.," the chalk, figure 3, was full of water, and rain fell on the surface, every drop must flow into the river; is not that so?—Every drop must flow into the river that passes over the top of the clay.

1636. You have already admitted to me that saturated chalk is just as good as clay for water passing over its top?—The water is drawing off at the bottom.

1637. Suppose that that chalk is super-saturated, the water that falls upon it will flow over it into the rivers just as if it were on the clay: will it not?—Now just follow it; the water is not in a state of quiescence in the chalk; it is travelling in the chalk, it is all "on the go."

1638. I am going to "travel," and to its destination?—Your idea is that it is standing still in the chalk, but it is not, it is moving in the chalk.

1639. Even if it does not travel, you are going to make it travel with your wells, are you not?—Yes.

1640. Now let us see; when you have got your well down to K., is there not what is called a cone of exhaustion formed all round K., with its base upon the surface?—There is a cone of exhaustion formed at the top of the well, but it does not reach down so far as that.

1641. Well, I will draw something on your book?—That cone of exhaustion is for surface water, and surface water alone.

1642. That is just what I am on, the surface?—You cannot get a cone 300 feet deep.

1643. Never mind about the depth; something like *that* would be formed would it not (*pointing to a sketch*)?—No, nothing like that, Mr. Balfour Browne; that is out of your head; that is not *nature*.

1644. I will not try my draughtmanship any more?—Your draughtsmanship does not do.

1645. Just follow me: a cone of exhaustion is formed which affects the surface water?—A cone of exhaustion is formed so far as surface water is concerned, no doubt, which immediately affects the wells in the immediate vicinity.

1646. How far do you say that "immediate vicinity" might go?—In a case of this sort hardly any distance, because we cylinder all the top water out. We make our well, for instance, a brick shaft of impervious brick set in cement. In the bottom of this shaft we have iron cylinders an inch thick. We drive those down 40 feet until we get into the rock; then we get the suction from the bottom, and put that suction down in the interior cylinder right away. We do all we can to box out the surface water.

1647. How deep is your well?—300 feet.

1648. Do you say that pumping from a depth of 300 feet would not affect the whole of the cone of exhaustion?—Most distinctly, clearly not; and shall I tell you why? It is for this reason when we sink a well, unfortunately one has to explain these things to you in this way——

1649. I think it is fortunate, not unfortunate?—In sinking a well what we do is this: every morning the men begin working we have a nail driven in at the level of the water at the side of the well, and the rods keep on working and working all day long. We watch that nail; we find as we go down through the different strata of rock (the rocks are in vast beds, some 50 feet or 60 feet thick) we force it out above; we find suddenly the water will rise upon that nail. Some days we find the water will take a jump of three inches, another whirl of water has been come to. As we keep sinking, the water at the surface of the well keeps on rising above the river, but when the well is finished the water in the well stands nearly three feet higher than the river, so that you can have a continuous stream of water from the well into the river; the well charging the river, not the river charging the well.

1650. Let me see if I understand you properly; this water that you say is in the chalk is travelling to the sea.

1651. We will see about where it goes to; but you say it travels, it travels miles?—Miles, it travels to the sea.

1652. And yet it cannot travel down that 300 feet to the bottom of your well?—It is travelling along that level, yes.

1653. But if you take water out from below, will not some water come down from above to take its place?—It is not a question of that sort. The water from below drives away the water from the top. It comes up with such tremendous force that it lifts the river up bodily. With regard to these springs which I drew the attention of the Committee to you could stand by the side of the cone, and in the middle of the cone you could see the cone would form a ring; it is a most beautiful sight.

1654. Then there is some connection between the bed of the river, which is lifted bodily up, and the depth of the well?—At that point there was, and that is why I told Mr. Webster not to go there.

1655. If you put down your pump and pump from that great depth, do you think that it will still be raised up in this way?—Certainly not.

1656. Therefore water that would get into the river and raise it up and flow into the river will be stopped by your pumping?—Not at this particular spot. I say Mr. Webster is drawing from the river; I know it.

1657. How do you know you are not?—Because I have taken good care to box out all surface water.

1658. That is not the question. It is not the surface water Mr. Webster is drawing from the river by means of his deep well. You are a very few yards from Mr. Webster?—I beg your pardon.

1659. How far?—Perhaps 600 or 700 yards.

1660. Are there not springs breaking out in the bed of the river just above where you pump?—There are springs all over the place.

1651. Do you mean to tell the Committee that you will not affect those springs by this pumping of 20 or 39 million gallons a day?—I do not think, if these wells are properly constructed, that it will have any affect at all. May I give you an illustration? I had the honour of sinking a well between Rickmansworth and Watford for the

Mr. *Balfour Browne*—continued.

the great paper mills in that neighbourhood. I was professionally instructed. I will show you where it is. (*The Witness pointed to the map*). It was a very large well, 300 feet deep, on the direct line between Watford and our pumping station. No doubt a very vast body of water is taken there by these paper mills, and I was certainly under the impression that if anything would show the effect of pumping upon our well it would be that. I had a very careful series of observations made on the water in our well before that well was sunk, and afterwards, and I could not find that it made the slightest difference at all to us.

1662. I have given you an opportunity of explaining your theory; have you ever got anybody to agree with you that you could pump from the chalk without affecting the river?—I do not know I am sure.

1663. Let me refresh your memory: your paper was read, and it was discussed by some gentlemen who are exceedingly eminent men with regard to the question of underground water, was it not?—It was.

1664. Did Dr. Evans combat your theory that taking water from the chalk did not affect the rivers?—Dr. Evans is a very old friend of mine, and is a gentleman with whom I have had a very great deal to do. I may tell you that it was at my special invitation that Dr. Evans came to that Institution, and discussed that very thing, because I knew that his views were opposed to mine. Dr. Evans, in a word, eminent as he is, looks through different spectacles from those of water engineers. He is a great millowner, and you cannot get a great millowner and an engineer to agree on these matters. I may say that that well I sunk was for Dr. Evans.

1665. At any rate whatever spectacles or pinces-nez he wore, he differed from you?—He always has.

1666. Although you are such friends?—Yes; and I had the honour of sinking his well for him.

1667. I see he says: "So far as his experience went the whole of the water that was not carried away by vegetation or evaporation, or in the case of districts nearer the sea-shore by springs arising along the shore, must find its way into those natural overflows, the rivers." You do not agree with that, do you?—Not without the limitations I put upon it.

1668. Did he also combat your theory that the water under the London clay was passing away to the sea?—I think he differed from me there.

1669. Mr. Baldwin Latham is an old friend of yours, is he not?—A very old friend and contemporary.

1670. Did Mr. Baldwin Latham say that "all experience tended to show that the water could not be taken from the ground at any spot without diminishing the flow of the rivers. As wells multiplied in a district, the quantity of water in the rivers diminished; as pumping increased, the water level in the wells was lowered." Mr. Baldwin Latham, by the way, besides being a friend of yours, is a very great authority upon underground water, is he not?—He is a very voluminous and able writer. Would you mind

Mr. *Balfour Browne*—continued.

allowing me, as you are reading from the utterances of gentlemen who are speaking against my paper, to read a few words,"

1671. Yes, If you can find anyone to agree with you?—I will read what Mr. Fox, the representative of Mr. Bateman, says. He sunk the great well at Watford for the Colne Valley Water Company, and this is what he says on page 85.

1672. He is scarcely Mr. Bateman's representative, is he?—He is Mr. Fox, the representative engineer. Mr. Bateman is dead, and of course cannot be called: "Mr. W. Fox said that Mr. Grover's statement in regard to the theory of Dr. Evans about a cistern filled with stones was pretty well illustrated at Bushey, where pumping from one well lowered the water 20 or 30 feet deeper than it stood in the other boring." The argument of Dr. Evans was this: that if you took water from the bottom of a cistern you lowered the water at the top of the cistern. My argument is that it is not one cistern, they are different cisterns; they are all different, and they are separated by rocks. The different beds are separated by vast layers of rock, and therefore you have to pierce these different layers and get into different whirls of water. "If Dr. Evans' theory were correct, the water level in both bore holes would be pretty nearly alike." So that you see Dr. Evans on his own ground at Watford is answered by the engineer of the water company.

1673. As I understand this diagram in your book, it is supposed to illustrate that very fact. It shows a well on one side of a fault and a well on another side of a fault?—Yes.

1674. Might you not have wells on two sides of a fault which would not affect one another at all?—Yes, you might; but they are all close together in one piece of ground. It is not a question of faults. These wells are together in the pumping station of the Colne Valley Company at Watford, within a few yards of each other.

1675. In your own pamphlet you give an illustration, exactly similar, of two wells near each other with a fault between where the pumping in one does not affect the other?—Distinctly; you might get beautiful water from a well on one side of a valley, and none at all from a well on the other side.

1676. Is it not the fact that the general view of geologists is, and I think it was stated by Dr. Evans in that very discussion, that it might be looked upon as a great cistern full of stones?—That is his theory.

1677. If that is so, that water pumped below must be replaced by water travelling laterally?—Distinctly, if his theory is true; but I contend it is not.

1678. Let me see if I understand your view about water travelling to the sea. I have here a rough little diagram, and that shows Ordnance datum with red lines. I find that the Colne at Rickmansworth is 150 feet above Ordnance datum?—That is about right.

1679. I find that the Bank of England well is pumping water in London at 75 feet below Ordnance datum;—Yes, that is quite right.

 1680. And

Mr. *Balfour Browne*—continued.

1680. And the hydraulic gradient between the two would be about 12 feet in a mile?—Yes.

1681. And it may roughly be taken. I will hand this to you immediately; that represents the hydraulic gradient?—Yes.

1682. Now, when I come to look at Grays, where you say the water from Rickmansworth goes into the sea, as I understand?—Yes.

1683. I find the Grays is 30 feet above Ordnance datum:—Yes.

1684. Therefore, from the Bank of England well, the water must have changed its mind; having run down from the Colne Valley, then it runs straight up to get out at Grays?—You are wrong there.

1685. I beg your pardon; these are the levels;—I know; but you do not understand the question. May I explain to you? It is a very simple thing.

1686. I have been trying to treat you with a little civility and I think you must be courteous to me?—Forgive my saying that. It is an engineering technical point, and I do not think it is wrong of me to say you do not quite understand. It is the same as if it was a law question and you told me I did not understand. It is in this way: There are a number of chalk wells in London, the Bank of England among them, and people are pumping from them, and the effect of all these people pumping is this: that they are lowering the water all round London, in the London clay naturally of course. When you have sunk a well, say in Palace-yard, the water would rise naturally, if there was no pumping going on, to the main level of the river; instead of which we find it rise to say 50 feet lower. That 50 feet of depression exists in all wells. For instance, we will say Coutts' well, the wells at Kensington, St. George's Hospital; in all of them you will find the water standing below the natural proper level of the soakage of the country and the river; and that is due to the pumping that is going on in London at this present time; that is the cause of the depression in the line of saturation which you properly drew attention to. But the water is travelling all the same, although it is depressed.

1687. Although it travels down hill one way and up hill another?—Yes.

1688. You say the pumping is exhausting the water under London?—That is so. For instance, in the last century, I believe the well at Coutts' Bank used to overflow; now I believe it is 40 on 50 feet down. So with the Hyde Park wells.

1689. If that is so, then of course there is less water to flow, whether at Grays or any other place?—Most distinctly.

1690. And if you do exactly the same thing up in the Colne Valley, will not there be less to come to London?—There is no doubt there will be a very small difference; but there will not be an appreciable interference with wells in London.

1691. How much?—It is so spread over such a vast district that each well will be slightly effected, but not to any serious extent; it might knock the level of the wells down a foot or two feet, or something of that sort.

1692. Even though the pumping of London has sent the wells down 40 feet in the last 10 or 12 years?—Yes; because, as I tell you, the water is feeble in its accesss to London; it has so

Mr. *Balfour Browne*—continued.

far to travel from the outcrop of the chalk that when you get it into the well, the moment you begin to pump it runs away, and you have to wait for it to come again; it is feeble in supply.

1693. Do you think you will not make it less feeble?—We shall take the water which travels under London, but we should not affect London much, because the distance is so vast which it travels that taking it at one spot it would be so spread that it would not affect it.

1694. So that although you take away water which is travelling under London, you would not affect the rivers by one drop?—That is too strong a way to put it. We should not seriously interfere with the rivers.

1695. To what extent, do you think?—Well, there is the case of the Wandle, where everybody is pumping at Croydon; yet the Wandle exists and the mill goes on.

1696. Do you know that a company was started, called the London and South Western Company?—Yes, I was engaged on it.

1697. Do you know that it was proposed to sink a well at Epsom to pump the water, and that when it was proved they would pump water from the Wandle the Bill was thrown out?—Yes, I know it was. You are giving one reason for it. I can give the real reason why it was thrown out, which would be different. No doubt that was *a* reason, but that was not *the* reason.

1698. Do you remember my learned friend, Mr. Bidder, appeared for people on the Wandle, and Mr. Baldwin Latham showed distinctly the connection between the Wandle water and the pumping-station at Epsom?—Yes. I remember Mr. Baldwin Latham was very able, as he generally is.

1699. Was not that all proved?—But that was not what threw the Bill out.

1700. And was not the Bill rejected?—Yes, but not on those grounds.

1701. Did you, by-the-way, help to prove it?—I am sure I forget now all about it; it was no Bill of mine.

1702. How far was that pumping-station at Epsom from the Wandle?—I cannot tell you; it is so long ago I have forgotten all about it.

1703. Five miles?—You must not press me now; I have forgotten all about it. I had nothing in the world to do with the Bill at all.

1704. I thought you said you were in it?—I was engaged professionally to assist in giving some evidence about what wells would produce, but that was all.

1705. You do not know that it was five or six miles away?—What I do tell you is this that at Croydon they are pumping a vast quantity of water, several million gallons day, and although the Wandle is a river supplied entirely from chalk springs, yet the Wandle still exists notwithstanding the pumping, and the mills still exist.

Mr. *Bolton.*

1706. With the same flow of water?—I do not know that there is any perceptible diminution. The mills are still at work and have been for many years. They are frequently fighting the Croydon people.

Mr. *Balfour Browne.*

1707. All that water you have been speaking of goes back into the Wandle, does it not?—No.

1708. Do you know that the Wandle comes out of the chalk a full size stream?—It does.

1709. At Carshalton?—Yes, a beautiful stream; it comes up like that (*pointing to a bottle of water*).

1710. And it was that sort of water which we brought up in bottles to show what we were going to pump. Do you know the sight of the New River wells running up towards Hertford?—Yes; I think I do.

1711. Do you know those at Hoddesdon?—No, I do not know the Hoddesdon wells.

1712. This is intended to indicate the London clay, is it not (*pointing to a diagram*)?—I believe so.

1713. The London clay runs over the district about Hertford?—Yes, that is so; and the same principle applies to the Hertford springs as

Mr. *Balfour Browne*—continued.

applies to this; it breaks out at the outcrop of the London clay and chalk.

1714. Therefore the case would be somewhat similar?—Yes, the cases are similar.

1715. Do you know that after a few hours' pumping of some of those wells of the New River Company the ditches on the surface run dry?—I was not not aware that at that particular spot they did.

1716. If that is so with the deep well of the New River Company, what guarantee is there that you will not do exactly the same; the cases are precisely similar you say?—Of course I cannot, without knowing the facts connected with that, answer your question.

1717. At any rate the circumstances, so far as you know them, are geologically the same?—But as a fact the whole of that district is protected in its water supply by our clause; we cannot take water out of that district until we have given a supply to it.

Thursday, 28th May 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.	Mr. Murdoch.
Mr. Bristowe.	Sir Mathew White Ridley.
Mr. Lawson.	Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Rickards.*] I PROPOSE now, Sir, to re-call Mr. Grover; and before my learned friends proceed with his cross-examination, he wants to correct one or two things in his evidence which have not been quite correctly printed.

Chairman.] Yes.

Mr. JOHN WILLIAM GROVER, re-called; and further Examined.

Mr. *Rickards.*

1718. I think you wish to make some corrections in your evidence, do you not?—Yes.

1719. The first material correction you want to make is in answer to Question 1447?—That is it.

1720. That is on page 80?—That is on page 80, Question 1447.

1721. The question is: "Do you know what the rainfall is upon the 234 square miles you have mentioned.—(*A.*) You may take it at 25 to 26 inches a year; you may take that as a fair average. What we find with regard to that rainfall is this (it is a very simple problem after all): that of this 25 or 26 inches (this is how Stephenson found it out, and how we see it) the rivers only count for something like five inches of rain. The question is where all the rest of the water goes to. It is manifest that it sinks into the chalk and passes away in these subterranean streams." I think you want to correct that last paragraph, do not you?—Yes, I do. I want to say that when I said, "It is manifest that it sinks into the chalk and passes away in these subterranean streams," I meant that it partly sinks into the chalk and partly evaporates. Of course the whole of it does not sink into the chalk; that is all; it is manifest that it is so. I thought it right to put that. That is the only correction there. The other one is ——

1722. Just allow me; I think I have got your correction here; page 83, Question 1519?—Yes, that is it; the second "no" wants striking out, that is all; it says "no Parliamentary power."

1723. The question is this: "And of course if the companies themselves require to increase their supply, the Thames and Lee, practically, as you say, being closed against them, they would have no power to take your water from you?" Your answer, as printed is: "The companies have no Parliamentary power to take water from us, but we have no Parliamentary power to sell to them"?—Yes, that is so; the word "no" has no business there, the second "no."

Chairman.

1724. It is a clerical error?—It is a clerical error; there is nothing else.

1725. On page 88?——

Mr. *Pember.*] Mr. Grover puts it exactly right by the next answer: "The companies which could take it would have to buy the water from us, and we have Parliamentary power to sell."

Witness.] Yes, it is only a clerical error it is perfectly obvious, because I read the passage from the Act.

Mr. *Rickards.*

1726. There is another clerical error which might lead to a misunderstanding in the answer to Question 1653: the question is, "If you take water out from below, will not some water come down from above to take its place?—(*A.*) It is not a question of that sort. The water from below drives away the water from the top. It comes up with such tremendous force that it lifts the river up bodily. With regard to these springs which I drew the attention of the Committee to, you could stand by the side of the cone"?—It ought to be "Colne." It is printed "cone;" "Colne" is the word.

Mr. *Bristowe.*

1727. The River Colne?—Yes, it is the great river shown on the map.

Mr. *Balfour Browne.*] We had been talking of the "cone of exhaustion."

Mr. *Rickards.*

1728. It is a bubbling spring that comes up from the bottom of the River Colne?—That is the explanation of that.

1729. "And in the middle of the Colne" (instead of "cone") "you could see the cone would form a ring; it is a most beautiful sight"?—That is all.

1730. There is one thing on page 89 which I think you want to correct?—It is a "d" left out; instead of "whirls of water" it should be "worlds

Mr. *Richards*—continued.

"worlds of water." You will see, halfway down, my answer is this: "My argument is that it (that is the chalk) is not one cistern; they are different cisterns; they are all different, and they are separated by rocks. The different beds are separated by vast layers of rock, and therefore you have to pierce these different layers and get into different whirls of water"; it should be "worlds."

1731. Which, I take it, is equivalent to different strata?—Yes.

1732. To different strata of water?—Yes.

1733. Is that all you wish to correct?—That is all.

1734. There is only one other thing I should like to correct before we proceed with the cross-examination; I think the Committee are aware of it, but, as something may arise on it hereafter, I will refer to it. It is on page 72; Mr. Wilkins' answer to Question 1328 is again misprinted. At the bottom of the paragraph: "If the city were taken on population only they would be entitled to about a fourth of the representative," it ought to be, not "of the representation"; you will remember that, I think, Sir.

Chairman.] Yes, quite well.

Mr. *Rickards.*] "That should be 'a fourth of a member,'" that is how it should read.

Chairman.] Yes, the "fourth of a member;" that is on population.

Mr. *Rickards.*] Before we go any further, Mr. Grover desires to say that he does not appear here as representing (he has said it before, but in order to emphasise the fact I repeat it) either the Rickmansworth Water Company or the Leatherhead Water Company, which we propose to acquire; he appears here as an independent witness on behalf of the Bill, and his connection with those two companies is entirely at an end.

Mr. *Balfour Browne.*] Yes, he told us he had sold his shares.

Mr. *Richards.*] He not only sold his shares, but his appointment to these companies was at an end.

Witness.] Or rather I am acting for them still just to help them through; but my connection is at an end, and they have given me formal notice that they do not wish to be represented at all. As a matter of fact, the Leatherhead Company is petioning against this, and the Rickmansworth Company are not represented in any way whatsoever.

Mr. *Bristowe.*

1735. Will you tell us at what time your connection ceased with each of them?—I have had to carry out those works.

1736. What time did your appointment end?—At the end of the three years' maintenance.

1737. When was it?—The 8th of May; the other day.

1738. Is that both of them?—No; I have been practically not connected with the other for three years.

Mr. *Rickards.*

1739. It has not been terminated by the action of the directors, but by the effluxion of time?—Oh no.

Mr. *Bristowe.*

1740. Is that the connection with the Rickmansworth or the Leatherhead?—The Rickmansworth.

1741. And the other one?—The other one about three years ago; but they put my name on the report to the shareholders, because there are so many shareholders who think I ought to be connected with it.

Mr. *Rickards.*] Some time back the Committee asked me for precedents of Bills for compulsorily acquiring the undertakings of water companies and the terms upon which those undertakings were acquired. If you remember, at the last meeting of the Committee before Whitsuntide, I handed in a Table which gave you considerable information upon the subject; I have now got in my possession the Acts of Parliament which I referred to before the Committee rose for the Recess, and I am prepared whenever it is convenient to the Committee to hand them in, and point out the sections of the Acts which deal with this matter; I do not know whether it would be convenient to do it now.

Chairman.] This would hardly be the time, I think, Mr. Rickards.

Mr. *Rickards.*] Very well, Sir; then there is one other thing——

Mr. *Pember.*] We should like to see the list.

Mr. *Rickards.*] I had better read it out, because I cannot give all my learned friends a copy of it.

Mr. *Pember.*] You need not read it out if it is to go on the Notes.

Mr. *Pope.*] Hand it to the shorthand writer.

Mr. *Pember.*] If you do, then we will see which were compulsory and which were not.

Mr. *Rickards.*] Certainly.

Mr. *Pope.*] With one exception I do not know of any.

Mr. *Pember.*] Would you mind handing it in to the shorthand writer now.

Mr. *Rickards.*] Of course these Acts vary somewhat in their provisions.

Mr. *Balfour Browne.*] Oh, very much.

Mr. *Pope.*] With the exception of Sheffield, which passed the House of Commons; which was an agreed Bill when it got to the House of Lords——

Mr. *Pember.*] It is the other way.

Mr. *Pope.*] You are quite right; with that exception I do not know of any.

Mr. *Rickards.*] I deny that proposition entirely; and I am prepared to prove that it is wrong. I will hand this in to the shorthand writer. (*The document was handed in, and is as follows*):—

PRECEDENTS.

Liverpool Water Act, 1847.
Dundee Water Act, 1869.
Huddersfield Water Act, 1869.
Edinburgh and District Waterworks Acts 1869 (and 1889).
Birmingham Corporation Water Act, 1875.

Stockton and Middlesborough Corporations Water Act, 1876.
Metropolis Toll Bridges Act, 1877.
Llandrindod Wells Act, 1884.
Sheffield Water Act, 1887.

As to Capital:
Sheffield and South Yorks Navigation Act, Act, 1889.

For Finance and other detail:
Lord Cross' Bill of 1880.

There is one other thing my learned friends asked for, that is a print of the vestries' resolutions of the 19th June 1890 and the 31st July 1890; and I have had prints made which I will hand in at once to the Committee and to my learned friends, It is already on the evidence. The counsel for the London county council are very anxious to have this, but I do not see any of them here.

Chairman.] This is already on the Notes; it is only for convenienee that you supply it in this form.

Mr. *Lewis Coward.*] It is at page 50, Sir.

Mr. *Rickards.*] It is already on the Notes; the counsel for the London county council were ery anxious to have it before them.

Further cross-examined by Mr. *Balfour Browne.*

1742. You are an entirely independent witness, now?—I am entirely independent, except that I am actually finishing whatever they want at Rickmansworth.

1743. "Actually finishing whatever they want"?—Yes.

1744. And upon the 7th May?—The 8th May.

1745. The 7th May, excuse me?—Very well, on the 7th May.

1746. On the 7th May you were asked this question by my learned friend: "You are engineer also of the Rickmansworth and Leatherhead undertakings"; and you answered, "Yes"?—Yes, I am on the Report; they print my name. The directors are kind enough to honour me with the title of engineer. It is only an honour, I am sorry to say. I get a little, perhaps; if they lay a few pipes they give me commission on the pipes.

1747. If we had concluded your examination that day you would still have been connected with both the companies?—I was on the 7th May actually engineer under the contract. On the 8th May Aird's contract ceased, and that was my official termination.

1748. I do not wish to know what your "official termination" is?—My official termination is Aird's contract, of course.

1749. I see the Rickmansworth Company was trying to issue some capital on the 7th April 1891 (I do not know whether they were successful), and then they advertised that Mr. Grover was engineer to the company?—I am still nominally engineer of that company.

1750. I will ask you one question about that. Do you remember that in the year 1889 the Rickmansworth Company applied to Parliament to extend their limits of supply?—Oh, yes. I was engineer for them. That was the Rickmans-

Mr. *Balfour Browne*—continued.

Company, which comes down pretty nearly to Staines.

1751. Never mind that. In that case these places, Sunbury, Shepperton, and Littleton were included?—Yes, that is so.

1752. And Harmondsworth; just follow it; it came to nothing, but I want to get the facts?—I want to show the place from which it was extended.

1753. You will not be happy until you get the pointer?—I am afraid I cannot describe it otherwise. It came from here, from this point (*pointing to the cartoon*). This is the frontier of the Rickmansworth Company.

1754. And where do you want to extend your boundary to?—To carry a main from *here* to Sunbury; to the intake at Sunbury.

1755. Quite close to the intakes of the water companies?—It was to the intakes of the water companies.

1756. And the four places that you sought to supply were Harmondsworth, Sunbury, Shepperton, and Littleton?—Yes; Harmondsworth, Sunbury, Shepperton, somewhere *here* (*pointing to the cartoon*).

Mr. *Pope.*

1757. On the river, further south, below Sunbury?—Yes, that is it. Those four places.

Mr. *Balfour Browne.*

1758. And the Conservators of the Thames presented a petition against that Bill?—Oh, did they?

1759. Do not you know that?—They present petitions against most Bills; I dare say they did.

1760. Do you know whether they petitioned against that?—I think it most likely they did.

1761. Do you remember that the Bill was withdrawn?—It was withdrawn.

1762. Before they came to the second reading?—It was.

1763. Now I am going back to what you were saying upon the other occasion; you said that you would take from this district of Rickmansworth 2½ inches of water?—Yes, that is about it.

17642. Did you say that the whole percolation of water into the chalk was equal to 4 inches?—No, I do not think I did.

1765. In your paper before the Institution, was not that the amount you said percolated?—It is three years ago, but I think I always thought that much more than that percolated.

1766. You always thought that much more than that percolated?—Very much more.

1767. Now let me see if I understand your theory. You have drawn upon that section that you have put in, a line calculating 234 square miles?—Yes.

1768. And that area comes down to Rickmansworth?—Yes.

1769. And you calculate that from that area of 234 square miles you may be able to draw 30,000,000 gallons of water?—20,000,000 gallons, I think.

1770. 20,000,000 gallons?—I said 20,000,000 gallons.

1771. Your theory, if I understand it aright, is that there are two separate sets of strata; the upper one that one that feeds the rivers; the other,

Mr. *Balfour Browne*—continued.

other, the under, which supplies water underneath London, and which you propose to tap?—Underneath the London clay; yes, that is right.

1772. Then, if there is an impervious strata or stratum between the two others that are pervious, how can you calculate on getting the whole of the water from the 234 square miles?—In this way: that we are at the edge of the London clay above that; this 234 square miles is substantially porous country. It is covered here and there with bits of clay; but, as a matter of fact, most of the water that falls on these Chiltern Hills percolates into the chalk.

1773. Therefore the water that does fall on the surface is not kept up by an impervious stratum, but gets down to any part?—It penetrates down deep; yes.

1774. Then why would not your pumping affect the top water?—Why would not it? Because we sink at the edge of the basin; and, of course, by sinking at the edge of the basin, you tap the water which is passing away under the clay.

1775. You think so?—I know it; I do not "think" about it.

1776. You told me Mr. Webster's well did actually take the water from the river?—Yes; he just got into a crack there, a fissure.

1777. I think there are some of us in more or less tight places?—I am very doubtful about that. I may say this: I have seen Mr. Webster's engineer since, and it is exceedingly doubtful whether he is or is not.

1778. At any rate we will not go into Mr. Webster's well; over the whole of that 234 square miles the water will penetrate through the surface freely downwards?—Yes, at points. Remember there are patches of clay on that 234 square miles; you do not get bare chalk all over the area; it falls on the clay, it runs off to the edge, and gets into the chalk.

1779. Therefore over that 234 square miles there is no impervious material stopping off one of your sets of strata from the other?—Not seriously until you come to *this* point.

1780. You said, by the way, that wells through the clay would not give enough water, did not you?—They will not give enough water if you are some distance from the outcrop of the chalk.

1781. Therefore the wells at the edge of the clay will take more water than is running away under the clay; is not that so?—It would take away a considerable amount of water.

1782. It would take away more water than is running away under the clay?—I do not know that it would take "more."

1783. But if you cannot get enough by going down through the clay, and can get enough by going down at the edge of the clay, does it not follow that you will take more than is running away under the clay?—Well, I daresay it seems so.

1784. It would seem so, you say; I think so too; now I go to something else; the Leatherhead well is 300 feet deep, is it not?—No, I think not.

1785. Does that rise and fall with the River Mole?—Every well rises and falls with the river the same as it does on the coast with the rise and fall of the tide.

1780. I understood you to say distinctly that

Mr. *Balfour Browne*—continued.

if you went down 300 feet at Rickmansworth, and pumped your 20,000,000 gallons it would not affect the River Colne?—That is my impression if you *surface-out* the top.

1787. But if they rise and fall together, must not there be some connection?—No, I do not know that there is any connection.

1788. It is a mere happy coincidence?—There can be no absolute connection, because the levels are different; this is the point, that the water stands in the well 2 feet 6 inches to 3 feet higher than the water in the river.

1789. Now I will go to something else.—It is the same on the coast; you will find wells all along the coast rise and fall with the tide, yet the water is perfectly sweet.

1790. You spoke of this as merely a supplementary supply?—I did.

1791. And you distinctly stated that the present supply of water to London was good?—Yes, it is a good supply.

1792. Now, let me see what amount of this *supplement* you are going to get; you told us that at Leatherhead there was 10,000,000 gallons to be had?—Yes.

1793. And at Rickmansworth 20,000,000?—That is right.

1794. How has it gone up from 20,000,000 to 30,000,000, and from 5,000,000 to 10,000,000, which you stated in your paper to the Institution of Civil Engineers?—From 5,000,000 to 10,000,000 was referring to the one station only; the station itself.

1795. You said that at Rickmansworth 5,000,000 to 10,000,000 gallons might be had.

Mr. *Richards.*] I think you had better let Mr. Grover refer to his paper.

Witness.] Yes.

Mr. *Balfour Browne.*] If I can find it.

Witness.] Here is my paper; but I dare say I can refer without the paper to this matter.

1796. Page 20?—"Allowing for all possible variations it is probable that from 5,000,000 to 10,000,000 gallons daily might easily be intercepted." I was in that paper no doubt referring to our own station; our own station at that particular spot. I may say that since I have done this I have had the pleasure of sinking another well in that district, and my ideas are very much enlarged as to the chalk.

1797. Very much enlarged?—Very much.

1798. It is very considerable, because at that time you will remember you were considering the whole question of chalk springs in the London basin, and you said, "allowing for all possible variations it is probable that from 5,000,000 to 10,000,000 gallons daily might easily be intercepted"; now you say——?—That is evidently referring to one station.

1799. But 20,000,000 gallons may be intercepted, you say?—Yes. I have sunk another well in that district since, and made much more extensive investigations, and these figures are a long way under the mark. I will give you those figures if you like.

1800. I have the figures; 10,000,000 gallons from Leatherhead, and 20,000,000 gallons from Rickmansworth?—Yes, that is so.

Mr. *Balfour Browne*—continued.

1801. Making 30,000,000 a day?—That is so,

1802. But you told the Committee. at Question 1408 that in 1901 London would require 45,000,000 gallons a day extra?—Yes. That is rather a full estimate; 40,000,000 gallons, say.

1803. I thought your ideas had enormously increased in size and proportion the last few years?—Well, put it at 45,000,000 gallons.

1804. So your 30,000,000 gallons will only last till 1898?—It would last 10 years, would not it?

1805. No; 1901 is just 10 years from now?—Yes.

1806. At that time they will require 45,000,000 gallons?—Yes; but then bear this in mind, that you are allowed to draw upon the river up to another 30,000,000 gallons.

1807. No, not according to "Mr. Grover"; he distinctly said that not another drop should be taken from the river?—If you can possibly help it.

1808. You told the Committee the Conservators had gone too far by allowing 130,000,000 gallons; you thought 100,000,000 gallons quite enough?—One hundred and ten million gallons was what they originally allowed the companies to take; they sprung it two years ago to 130,000,000 gallons. I say that 110,000,000 gallons is quite sufficient.

1809. You said when you were here, as the engineer to these two companies, that 100,000,000 gallons was enough?—I think that 100,000,000 gallons would be much better than 110,000,000 gallons. I quite agree with you there.

1810. When that is exhausted in 1898, what is London to do then; have you considered that subject?—They will have to go into the chalk further out; further away.

1811. The chalk further away?—Yes. The chalk is 1,200 square miles, stretching right away up to Devizes. All through that 1,200 square miles you can get an abundant water supply; and I will put it in this way to you: The average flow of the Thames, I believe, at Teddington is 1,100,000,000 gallons; the minimum flow we put the other day I should think at something under 300,000,000 gallons. It is only, of course, during the three or four months of hot weather that this pinch will occur; otherwise you have an abundance of water in the chalk.

1812. Have you considered at all the subject of making large reservoirs in the up-waters?—Yes, I have, and I will tell you the result. Why should I make reservoirs when nature has made them far better than I can in the flints?

1813. I think you are a pumping engineer generally?—Perhaps I might say you are a pumping advocate, as you are putting it.

1814. And after having supplied this reservoir, you would not pump from it?—Nature having made these splendid reservoirs in the flints, where water is got, remember, at a uniform temperature all the year round, and an abundant store, why should not you use the reservoirs that nature has made?

1815. Just let me ask you about the reservoir nature has made; do you know the relative hardness of the water in the reservoir that nature has made, and the water in the river?—Yes.

Mr. *Balfour Browne*—continued.

1816. What is it?—I should think ours would be about 23 to 24; the river is about 16; therefore the difference is about seven to eight degrees.

1817. We make it a little more?—I should take it so, but I have got Dr. Frankland's report.

1818. As I understand, what you said the other day was that the springs break out at the junction of the clay, where the clay overlies the chalk, by reason of the back pressure of the chalk?—No; by reason of the pressure of the clay upon the chalk.

1819. Quite so; it is because under the clay the water does not get a ready means of flowing away?—That is is so; you are right.

1820. And in consequence of that there is a feeble flow of water under the chalk, and so under London?—That is so.

1821. Under the clay, and so under London?—It is a very extended flow, a vast district, but weak.

1822. You have told me also that the weak or feeble supply under London has been seriously affected by the pumping in London itself?—It has.

1823. So much so that the level of the water has gone down about two feet a year?—No, no; not so much as that.

1824. You gave us 12 feet in the last six years, I think?—It varies at different wells. I think it has gone down some 50 or 60 feet about Charing Cross.

1825. Within what time?—Within the last 100 years, I suppose.

1826. You measure the water, then?—Fortunately not.

1827. I take your own figure, that it has gone down 12 feet in six years, that is about two feet a year?—Yes; but then remember this (you are missing the whole point), that if this Trust is carried out, and people can get the water cheap in London, all these wells in London will gradually be shut up. The reason these wells are sunk in London is because people quarrel with the water companies because of their rates. You get rid of all this pumping in London if you pass this Bill.

1828. I think you would not get rid of it?—You draw it from the outside.

1829. How much do you calculate is pumped in London from underneath the clay?—I have seen various estimates, but there is no reliable data in existence.

1830. You have seen various estimates?—I have seen Mr. Easton's estimate, but it was very general.

1831. Has that been estimated at 20,000,000 to 40,000,000 gallons a day?—I have no doubt it is more than that.

1832. Suppose we take the larger figure; if the 40,000,000 gallons a day has reduced the level of the water by 2 feet per annum, would not this large abstraction of 30,000,000 gallons a day materially add to that?—Supposing it did reduce it 2 feet, what does it hurt. A man has to pump 2 feet deeper from his well. It is monstrous to make a difficulty of a thing like that. Suppose a man had to pump 2 feet deeper?

1833. You

Mr. *Balfour Browne*—continued.

1833. You tell us it had gone down 60 feet?—I will make you a present of the 2 feet; make it 10 feet if you like.

1834. Two feet a year you told us?—It is 50 feet in London, we will say, after 100 years.

1835. You have said 60 feet?—Well, 60 feet after 100 years, it is monstrous.

1836. The present use of water in the district by the present companies is infinitesimal, a very small thing?—Yes, it is very small.

1837. I will ask you just a few questions for the Thames Conservancy. After saying that the water was very good you were induced at Question 1496, and I am bound to say this was not by the promoters, but by the counsel for the county council of London, he induced you to say something about house-boats: "another element which has been growing of recent years is the house-boats on the river?—(*A.*) Yes, they are a horrible nuisance, shocking"?—Yes, I repeat that.

1838. I want to see what you know about it?—I do not like them at all.

1839. You may repeat it, but I want to find out what you know about it; let me ask you: do you know anything about the oxidysing effect of water flowing down streams?—Certainly I do.

1840. And am I right in supposing that streams do, after running a certain distance, purify themselves largely, am I not?—Most wonderfully. That is an extraordinary power of nature, that sewage passing into a river becomes dessicated in a very few miles, especially passing over a weir or over anything where there is air; we find that to be universal.

1841. That depends upon a great number of circumstances, the vegetation in the river, and so on?—Yet it depends upon arration. If you get it over a weir, that is a great thing.

1842. In how many miles would such a flow as that of the River Thames get rid of all sewage if it were put in?—Do you mean from Staines?

1843. No, I say at any part of the river?—About 70,000 people I think drain in at Staines.

1844. Would you mind answering the question, and not speak about Staines or anything else but what I ask you. I say how many miles flow of the Thames would get rid of the sewage in the wonderful way you have spoken of?—I can give you an instance, and an instance at Leatherhead.

1845. Never mind an instance, mention it first, if you can give me an idea of the distance?—Of course I can only take the cases in my mind; I cannot take a hypothetical idea. I know a case, that is the town of Leatherhead, which drains right into the River Mole; I say I know a property and a very fine property I should say, two miles down, that uses the water from that river.

1846 And that stream has purified itself wonderfully in that distance?—It does purify itself in a wonderfully way.

1847. Now we will go to the house-boats; do you know that, under the regulations of the Thames Conservators, no house-boat is allowed within seven, and in one instance five, miles of the intakes of the water companies; did you know that?—No; I was not aware of it. I know they are above the intakes; I know the house-boats on the river; I did not know how near they might go.

Mr. *Balfour Browne*—continued.

1848. You did not know that no house-boat was allowed within seven miles of the intakes?—No; I did not know that.

1849. Does not that alter your view with regard to the house-boats being a horrid nuisance?—Is that a fact?

1850. It is a fact, and you will have it proved; at any rate, the Committee will?—Well, of course, seven miles is a good flow; but, as a fact, there is the West Surrey Water; they draw down at the end of the Wey; surely house-boats are all round there.

1851. I will guarantee to prove to the Committe that no house-boat is allowed within five or seven miles?—I am very glad to hear it. All I can say is, Mr. Browne, that I rejoice to hear it.

1852. Even supposing, which we do not admit for an instant, that the house-boats did throw anything into the river, taking your Leatherhead experience, the sewage, the refuse, would have all gone before it reached the intake?—I grant you that. I never wished for one moment to throw any doubt upon the intakes of the water companies.

1853. You did not?—Never. All I said was this, that it is better to take it up above higher, from a pure source, than to take it below, where the sewage comes in; that is all.

1854. Let me ask you something else: Do you know that the house-boats accumulate most at Henley during the races?—I know that at Henley it is very bad.

1855. Do you know that when that takes place the Thames Conservators collect all the refuse from the house-boats?—It does them very much credit. I am very glad to hear it.

1856. You did not know that when you said it was "shocking"?—Well, house-boats are a nuisance; a water engineer does not like a house-boat.

Mr. *Rickards.*] We are not impugning the administration of the Thames Conservancy in the slightest degree.

Witness.] Oh, no.

Mr. *Balfour Browne.*] It was distinctly stated, Mr. Rickards himself did not state it, but Mr. Freeman, who is counsel for the London county council, did suggest that the house-boats were detrimental to the water supply of London.

Mr. *Rickards.*] For what it is worth, the housea boats are a nuisance. It is not a very material matter.

Witness.] It is not a very material matter.

Mr. *Balfour Browne.*] If you do not make any allegations of that sort I will not go further with it.

Mr *Rickards.*] Mr. Grover says they are a nuisance *pro tanto.*

Witness.] A water engineer does not like the house-boats; it is like a red rag to a bull, if I may say that.

Mr. *Balfour Browne.*

1857. I do not put you in the category of the bull, but I will put it in that way. Now, with regard

Mr. *Balfour Browne*—continued.

regard to floods; that was another suggestion that was made?—There is trouble, of course, about the floods.

1858. At Question 1497 Mr. Freeman said: "Let me point out to you another very serious matter. In time of flood an enormous amount of very bad refuse is brought off the land." Do you know that?—Of course, that must be so.

1859. In reply to that you said, "Yes." Do you know that a few years ago there was a scheme for the Chertsey sewage, for the drainage to Weybridge and of the lands liable to floods; do you know that?—I did not know that.

1860. Do you know that an inquiry was held before Major Duckett and General Scott at Weybridge as to that very matter?—I was not in that inquiry; no.

1861. Do you know that the Thames Conservators resisted that scheme on the very ground that the land was liable to floods; and that the Local Government Board rejected the scheme?—Very properly too, I should think.

1862. Let me just read your next answer, because the sewage or the refuse got into the river in consequence of lands that were liable to flood. The next question was, "It being the growing custom to bring very objectionable refuse from London to spread upon the land?" and you answer, "Yes, that is an objection to the river." I understand you withdraw that now?—No, I do not withdraw that.

1863. "That has been so for many, many year?"—Yes.

1864. "But I do not think you can starts that as anything new, because you have an answer to that in the Report of the Water Examiner, which is very favourable to the Thames companies, all of them." That is your opinion?—That is so. There is no doubt at all that where you have got a quantity of market gardening going on, as you have there in that part of the world, you must of necessity have a great deal of disagreeable surface matter; it is manifest.

1865. Let me just understand. I should have asked you this before, because it was on the other part of the scheme, or rather upon the other part of your evidence: If you tap the water at the junction of the chalk where it is not covered by clay, with the chalk where it is covered by clay, you tap it at a place where the crevices are large and where they begin to be small?—Yes, that is right; you are quite right.

1866. Therefore, if I may put it like a plumber, you tap the ends of the large pipes at a place where they are conducted into the small pipes?—That is so.

1867. Of course the water in all those pipes is under a considerable head of pressure?—Very great.

1868. Very great pressure; so much so that it lifts up the bottom of the river, according to you?—Lifts up the top of the river, the bottom as well.

1869. As a matter of hydrostatics, is it not a fact that if you put down a pump at that junction you will draw the water from the big pipes and not from the small?—You will draw the water which comes in with the greatest head; you will draw the water which comes in most most rapidly; with the greatest head of pressure.

Mr. *Balfour Browne*—continued.

1870. That is to say, you will draw from the big pipes and not draw it back from the small?—They would not draw it back much.

1871. Under those circumstances would not your pipes be taking back water that absolutely falls upon the 234 miles that you have been speaking of?—I do not follow that. Would you mind putting that again?

1872. The water that falls upon that 234 square miles that you have speaking about?—You will be taking the water; the 2¼ inches that falls on the 234 square miles of the Chiltern Hills, above the clay.

1873. Above the clay?—Above the clay.

1874. You have spoken of the great natural reservoir that exists there, and when the water in that comes to the smaller pipes it meets resistance and is dammed back?—It is held partially back, yes.

1875. It is held partially back; it is in consequence of that resistance that it finds its way to the surface in the end?—That is so.

1876. Practically then this reservoir has a leak in it by which a thin layer of water, as you said, goes away?—Passes away under London down to Deptford.

1877. *Here* is a cistern or reservoir with a leak in it, and with water overflowing at the brim: if you put down a pump, which do you think you will do, prevent the leak or stop the water flowing over at the brim?—My idea is that you will stop the water passing away underneath.

1878. You will stop the leak?—Yes, in a limited measure you will.

1879. Not prevent water flowing over the brim?—Bear this in mind, it always turns upon this: the well must not be constructed as an ordinary bricklayer makes a well; it must be cylindered out at the top, and the surface and valley water carefully secured by iron cylinders.

1880. Listen to me——?—May I give my own answer in my own way, because probably I may assist you, and you ought to cross-examine me upon it.

1881. I "ought" to cross-examine you?—Well, you might cross-examine me upon it if I am wrong. Since we have met I have endeavoured to have some observations made to put this question at practical rest, so that there should not be any possibility of question about it. Does or does not our well, when we are pumping, reducing the level six feet, affect adjoining wells? It so happens that there is a well within 50 yards of our pumping station, and that well belongs to a cottage, and to a man named Saunders. I have had a series of observations taken on that well before we began to pump and after we ceased to pump, at least just before we ceased to pump. I have had them taken by the gasworks manager——

1882. Really, unless it is an answer to the question I do not want all this explanation?—Then you must put it.

1883. I think you have made perfectly clear all about the leaks?—I am very sorry you do not think it an answer to the question.

Cross-examined by Mr. *Pember*.

1884. I do not think I need ask you very much; but there is just a word or two that I should

Mr. *Pember*—continued.

should like to ask you about the pumping of the Lee, for the East London Company more especially. Do you know how much the East London Company pump from the Lee per diem?—It is given in the Local Government Board's Report; I forget it now.

1885. Will you take it from me that it is 34,000,000 gallons; should you quarrel with that figure?—They take more than that, I think.

1886. What makes you say they take more than that?—My recollection of their figure is that it is very much more from the Lee.

1887. It is a matter of importance, and I will tell you why?—All right, I will take it from you that you are right, but I thought it was more.

1888. I should rather like to ask you upon what knowledge you based a tolerably strong statement you made in answer to my learned friend, Mr. Freeman, on that; it is on page 82?—I daresay I can find it.

1889. Before you find it I should like to call your attention to the statement, all the same, "A considerable amount of trouble, is there not"?—What number is it?

1890. Page 82, Question No. 1480: "A con-considerable amount of trouble, is there not, both with the Lee and with the Thames." Your answer to the question, about the trouble with the Lee is this: "The Lee is unsatisfactory, no doubt, to a certain extent; they over-pump the Lee; indeed, in the summer I believe it is a fact that no water at all gets past the intake of the company." Which company did you mean?—I meant the East London Company.

1891. "Below the intake of the company it is a ditch; there is some 59,000,000 gallons a day coming down, and they take 59,000,000 gallons; they pump it straight out; that is the unfortunate part"?—I think very likely that where the conclusion is missed, there is that it refers to the two companies, I expect the other one as well.

1892. Which do you call "the other one"?—The New River.

1893. Do you know where the intake of the New River is?—Yes, up above.

1894. Considerably above the intake of the East London?—I may tell you this, that is taken from the Report which was made by the Metropolitan Board of Works some years ago, which I can lay my hand upon; I have got it here.

1895. Then it is not your own knowledge?—It is taken from the Report of the Metropolitan Board of Works.

1896. Listen to me?—I must give you my authority.

1897. It is essential also that you should do me the favour to listen to me a little?—Oh, yes.

1898. I ask you to tell me whether or not it was your own knowledge, or merely secondhand from that report?—Merely from a report which was made in September, 1885, by a General Purposes Committee of the Metropolitan Board of Works. I see what they put is this: that the New River Company took about 20,000,000 gallons, and the East London Company 38,000,000 gallons a day. That seems to be (about) near my figures; 59,000,000.

1899. Now you see the disadvantage of hearsay evidence?—I merely take it from the print.

1900. Have you the slightest idea of the way in which they derived that statement?—The Metropolitan Board of Works surveyed it, I suppose.

1901. You "suppose"; but do you know?—The figures do not vary very much.

1902. Oh, yes, they do. Let me have a look at it?—I have only the printed report of the time.

1903. I will give it you back, Mr. Grover, if you would not mind trusting me with it for a minute?—I have not the original. I only take it from the paper. (*Handing same to the learned counsel*).

1904. I have some figures which are pretty authoritative from the East London Company themselves; do you know Feilde's Weir?—I do not know very well that district.

1905. You do not know it very well in that district; would you be astonished to hear that Feilde's Weir is below the intake of the New River, and that over Feilde's Weir, daily, 110,000,000 gallons actually go, out of which the East London only take 34,000,000 gallons, and that the residue goes down the Lee?—I daresay.

1906. You do?—I am only giving you the figures from the Metropolitan Board of Works.

1907. Instead of turning over the leaves of another book will you kindly answer me? you know you have made an assertion which is rather a strong one; would you mind not turning over the leaves of a book?—Very good.

Mr. *Rickards.*] This is where he gets his figures from.

Mr. *Pember.*] You shall look at the book after you have answered my question. Meantime you have made a tolerably strong assertion, that 59,000,000 gallons come down the Lee, and that 59,000,000 gallons are taken out?—At the minimum period, at the lowest period.

1908. I put it to you that it is not so. Now, will you tell me: where do you get those figures from?—From that Report you have there of the Metropolitan Board of Works, of September 1885.

1909. That is second-hand, so far as you are concerned. To begin with, it has that advantage?—It is taken from their gaugings.

1910. How do you know they ever took a gauging at all?—The Metropolitan Board of Works are a public body.

1911. Public bodies no not always take gaugings?—Then they ought to.

1912. That is another question. I put it to you, that instead of 59,000,000 gallons coming down and being taken out, that 110,000,000 come down, and that only 34,000,000 gallons are taken out?—By your one company.

1913. Are you aware that the only other company that takes is the New River Company?—That is so.

1914. And that that intake is far above the Fielde's Weir, over which this 110,000,000 gallons is coming?——

Chairman.] Probably there is a difference in the time when these figures are taken, Mr. Pember, just to make it clear as you go on. I understand Mr. Grover referred to the minimum flow of the river.

1915. I am

Mr. *Pember.*

1915. I am referring to the same thing, Sir; I believe so. (To the *Witness.*) Once more, just to show the materials upon which you are making these very authoritative assertions, has it come to your mind that that statement which you have just made does not come from the report of the Board of Works at all?—It comes from their general purposes committee, I think.

1916. Are you aware that it does not even do that?—Does not it; it is published by them; that is all I know. At the time we tried to get copies.

1917. It is merely a newspaper cutting, from the "Standard" newspaper?—That may be copied there, but that is where I get it.

1918. You are a little too fast for me; it is merely a statement of a report from the "Standard" newspaper of the 26th September 1885, giving an account of the meeting of the Metropolitan Board of Works, at which the late Sir James M'Garel-Hogg presided, in which a certain gentleman moved a resolution; his name was Cook, and in the course of that resolution Mr. Cook made certain statements, of which that was one?—He did, and he was one of the the people employed, I believe, to carry it out.

1919. That is all; heaven defend me from saying a word against Mr. Cook, but there is nothing to prevent that statement being absolutely unfounded?—Now look here——

1920. I am looking as hard as I can?—That was amply confirmed in this way, Mr. Pember: that at that time, I think it was that very year, there was such a great complaint about the Lee that the East London Company allowed the water to pass, to flush below. I think it was in that year there was so much trouble.

1921. Now will you kindly just hand that to the honourable Chairman, so that he may verify the fact that that is no report at all, but merely a speech of a gentleman on a certain motion.

Mr. *Rickards.*] Will you refer to page 232 of the Nineteenth Annual Report of the Water Examiner to the Local Government Board, 1889, and you will see precisely these figures.

Witness.] That is what I am trying to help Mr. Pember to, but he will not do that.

Mr. *Pember.*] If my learned friend wishes the witness to do that, he had better ask him in re-examination.

Witness.] Here it is in the Water Examiner's Report. *This* is an official document. I thought it was here somewhere. *Here* are the figures of the Official Examiner's Report.

1922. Now show me where it is?—*Here* it is. (*The document was handed to the learned counsel.*)

1923. "The precise volumes of water daily withdrawn from the Thames, the Lee, and springs and wells, respectively, during each month of 1889, and representing those plotted in the diagram are recorded below." Very true. Now, we have then the number of months (the 12 months of the year) in one column; the number of millions of gallons taken from the Thames in the next; the number of millions of gallons taken from the Lee in the next; and the number taken from the springs and wells in the next; and then comes the total; and it is perfectly true that the average for the 12 months of the year, taken from the Lee is 58,000,000 or 59,000,000 gallons?—Exactly.

Mr. *Pember*—continued.

1924. Has it escaped your notice that that is not the point between you and me. The question is the amount out of which that 58,000,000 gallons is taken, and where it is taken?—No. It agrees with that exactly. When we come to get the official document it agrees with that exactly.

1925. Your statement was not only that 59,000,000 gallons was taken, but that 59,000,000 gallons was all the fund there was to take from. Now do you know, except from that speech of Mr. Cook's, or have you any idea of what the total amount of water passing over the point of the intake of the East London Water Company is; which is the lowest?—I understood it was not much more than that.

1926. But from whom?—From that Report.

1927. Then you have no other knowledge except that?—No.

Mr. *Lawson.*] What is the figure in the Report. Is there a figure giving the minimum flow of the Lee, in the Report?

Mr. *Pember.*] No.

Mr. *Rickards.*] If you will look at page 230 of the Local Government Board's Report, you will see a diagram. I will let you have this copy, Sir.

Mr. *Pember.*

1928. I daresay you will. In that tabular statement, Sir, there is nothing whatever said of the total amount; but at page 230 (the very page to which my learned friend insisted on calling your attention instead of leaving it to me to do in the ordinary way) I find this: "'The Lee and its basin'; two and a-half millions of people in the north and east of the metropolis depend, as to nine-tenths of their water supply, on the River Lee, and the underground waters stored in its basin. It is needless to add that a knowledge of the minimum flow of the river occurring during seasons of drought is of the greatest importance. I have been unable, as yet, to obtain information on this subject. The volume flowing over Feilde's Weir is calculated and recorded by the Lee Conservancy, but the Board have not been able to supply me with a copy of the record." We will give it you when our turn comes, Sir, but at present from this Report to which this gentleman has called my attention you will see that there is no record whatever of the total fund, if I may call it so, the total stock of water, out of which this 59,000,000 gallons is taken. So much for that as far as it goes. (To the *Witness.*) In fact, these questions, and your answers to them lead me to ask this. What is your general experience of the watershed of the Thames?—Of the watershed of the Thames?

1929. Yes; I mean what works have you constructed except these Rickmansworth and Leatherhead Works?—In the Valley of the Thames?

1930. Yes, in the Valley of the Thames?—About 100 square miles I think.

1931. What do you mean by "about 100 square

Mr. *Pember*—continued.

square miles"?—A hundred and ten square miles.

1932. A hundred square miles of waterworks, do you mean?—Yes.

1933. A hundred square miles of waterworks; they do not exist in the country?—They do. I can give you cases: Newbury, Wokingham, East Hempstead, part of Sandhurst; then Leatherhead (which is eight parishes), Rickmansworth (eight parishes), and down *here* (*pointing to the cartoon*).

1934. What do you mean by saying you have constructed 100 miles of waterworks?—The authorised Parliamentary district is 100 miles.

1935. That means 10 miles by 10 miles?—It does. It is a large area.

1936. That is, limits of supply of 10 miles by 10?—Yes, which we have carried out.

1937. Those are not "waterworks," but the limits within which you may supply water, and it comes to 10 miles by 10, does it?—Yes, it is a largish area.

1938. Have you made any independent observations at all as to the possibility of storing water in the Thames Valley?—No, I have not made any observation.

1939. Have you made any independent gauging of either the Thames or the Lee?—No; I take them from the official reports. They are made by the Board of Works' engineers.

1940. Your definition of "official report" may perhaps differ from ours?—The Local Government Board's Reports I take them from, whatever they are.

1941. I notice on page 77 that you say that you do not recommend anything so Utopian as a fresh supply; you merely recommend an augmentation of the present sources of supply?—That is so.

1942. Why should not the water companies be enabled to carry out that augmentation as well as anybody else?—So they could, and so they would.

1943. "So they could, and so they would" you say?—So they would. They have done all they can (both of them, both sides) legitimately to assist in this work for the last 10 years; they got the usual Acts of Parliament.

1944. Whatever you would recommend, on page 77 the water companies if they got Parliamentary powers, the water companies could do and would do?—Page 77?

1945. Yes; at page 77 you say this; it is Mr. Lyttelton who is asking you the question: "Having regard to that fact, and to what you have said as to the Lee, and the wells in Kent, do you think that much more can be gained for London from the present sources?—(*A.*) My opinion is not from the present sources. (*Q.*) The conclusion you draw from that is that some auxiliary sources of supply are necessary at present, is it not?—(*A.*) That is so; it has been manifest for the last 10 years that those auxiliary sources are pressingly needed"?—That is so.

1946. "I take it that your evidence only goes to the effect that that should be a supplementary or auxiliary supply?—(*A.*) Distinctly; I do not for a moment suggest such a Utopion thing as altering the supply, of course; it is very good."

Mr. *Pember*—continued.

Then I put it to you, as a frank man, that there is nothing that is wanted in the direction of a supplementary or auxiliary supply that the water companies themselves could not get, and would not be perfectly willing to get, if Parliament gave them the power?—By the assistance of these outside companies; yes.

1947. What do you mean by "by the assistance of outside companies"?—Outside companies in the chalk.

1948. Without it. What the outside companies can do in the chalk the inside companies can do, can they not?—You do not reach the places.

1949. That is only a question of laying mains?—That is a question of Parliamentary powers.

1950. If Parliament chooses to give the companies the powers they can do it, can they not, equally?—Parliament would not give them the powers; they tried to get them. The answer to your question is that the Grand Junction did try a few years ago to get powers, and they were thrown out.

1951. I do not think you and I need discuss what Parliament would do; the question I ask is this: the companies would if Parliament gave the powers, be able to do anything that anybody else could do?—If Parliament gave them the powers, and gave them the districts, of course they could, distinctly; but they have not given them.

1952. That is so; we are agreed?—We are agreed upon that; quite so so.

1953. By-the-bye, with regard to the powers of the Rickmansworth Company, it is worth while that I should just have that straight; how many Acts have you got; carefully notice the form of my question, will you?—Yes.

1954. How many Acts have you got enabling you to get water?—Three.

1955. Not to distribute or to sell, but to get?—Three Acts.

1956. To get water; mind, I said "to get water?"—We have the original Act of Rickmansworth, but then that was extended in the next year.

1957. Do keep your attention on one special point, Mr. Grover; I am quite aware you hd an original Act; I believe that was passed in the year 1884?—That was so, I believe.

1958. And by that you had power, under Clause 25, to make certain waterworks which are carefully specified?—That is so.

1959. "A well and pumping station"?—That is so.

1960. "With pumping engines"?—That is right; that is done.

1961. Do not be in a hurry. "Engine and boiler-house, and all other necessary works, buildings, and conveniences connected therewith, to be situate on land belonging or reputed to belong to Richard A. Arden, and numbered 884 on the Ordnance Map for the parish of Rickmansworth"?—Yes.

1962. Then you have power to make a certain conduit and a certain service reservoir?—That is so.

1963. Have you in any subsequent Act got any powers whatever to make any more wells?—No, but we have the general powers.

1964. What to do?—The powers which exist

Mr. *Pember*—continued.

in all water companies; to sink wherever we please, to extend our works.

1965. You must get power to buy land first?—Yes; we buy a piece of ground and then sink.

1966. With Parliamentary powers?—We do not want Parliamentary powers.

1967. I ask you whether you did it without Parliamentary powers?—Certainly.

1968. How many wells have you sunk?—Without Parliamentary powers?

1969 Yes?—Not many in this district.

1970. How many wells have you sunk altogether?—I cannot tell you that. I have been at it 20 years.

1971. How can you have been at it 20 years?—You mean in this district?

1972. The Rickmansworth Company, I mean?—We have only sunk one well.

1973. And you have only Parliamentary powers to sink one well?—I beg your pardon. We have Parliamentary powers to sink as many wells as we like.

1974. I ask you again whether you have any other powers to get water except the power you have got under the Act of 1884?—If you read all these Acts of Parliament they are very wide.

1975. Excuse me; the Act of 1884, which I happen to have in my hand, is particularly narrow?—I dare say I have them, but I cannot turn to special clauses in a minute.

1976. I would rather not keep the Committee waiting while you look through the Acts. How many Acts have you got for Rickmansworth?—Two. There is a general clause——

1977. Do, for goodness sake, attend to the question, and answer it. You say you have got two Acts?—Two Acts.

1978. Besides the Act of 1884, or with the Act of 1884?—One in 1884, and then another one subsequently, in 1885.

1979. I will not ask you to do it now; perhaps your learned counsel will be kind enough to do it; just looked through it and see whether it contains any fresh powers, similar to those you have in the Act of 1884. I am instructed that these are the only powers you have for sinking wells?—Yes; but this extends the limits of the Act; the second Act extends the limits of the first Act.

1980. I said, "to get water"; not "to distribute water"; further powers to get the water, not to give it; you know the difference I suppose. Now with regard to your distributing water, Clause 37, I think, is the Clause in your Act of 1884 by which you distribute water, is it not?—Yes, I believe it is.

1981. I will just read what I think necessary for my present purpose: "The company may from time to time enter into and carry into effect such contracts and arrangement with any corporation sanitary or other authority and the trustees of any turnpike or other road, or any highway board, or any surveyors of any highway or any railway company or any other companies, bodies or persons with respect to the supply of water in bulk or otherwise as the company think fit"?—That is all.

1982. You read that the other day, I think?—I did.

Mr. *Pember*—continued.

1983. But you did not read this, which I want you to read: "Provided that nothing in this section shall prejudice any existing Parliamentary powers or any application by any other company or sanitary authority for Parliamentary powers to supply with water any districts, places, or townships adjoining the limits of this Act." Did you remember that?—That is with regard to ——

1984. Did you remember it in the Act? Do you rember it now that I call your attention to it?—"Remember it"? Yes. I remember it all, but I do not see how that affects the question.

1985. That may be. That is for me to see, of course?—That is a fact. I may tell you how this is operating now. Let me tell you, Mr. Pember. That place, Northalt, which you see outside our district, down close to Ealing, is Lord Hillingdon's estate. There are 5,000 acres round there, which all belong to him. As a fact, I am now laying pipes into the Northalt district outside that of another water company, another Act of Parliament, and under other rates (we have done it by arrangement under this clause) for Lord Hillingdon.

1986. I have no doubt you can do it?—We are doing it. We have the pipes there.

1987. I only want to call your attention to this, that there is nothing in your powers which would prevent any other company getting similar powers of supply to Northalt?—No. They have the powers all round us

1988. That will do, thank you?—Quite so.

1989. Now there is another matter I want to ask you about: you said the other day, in the same way, that the Lee was very unsatisfactory: "Although, of course, it is very raw material when first it comes out, I think they manage to cook it": without intending to make any joke on the word "cook," do you want to throw any slur upon the quality of the water supplied by the East London from the River Lee?—No, I said it was good. I said the waterworks companies' water was good.

1990. What made you make that suggestion then?—It was rather a compliment, that they had rather a rough material, and that they made it into a very good one.

1991. Is that your way of paying compliments: "Although, of course, it is very raw material when first it comes out, I think they manage to cook it"?—As a fact, they do manage to improve it very much.

1992. However, you say that is a compliment; we have some little difficulty in feeling it, I must say——?—I beg your pardon.

1993. Although we are on the look-out for compliments, which we do not often get, what do you know about the condition of the Lee water when first the East London Company take it out?—I am guided, of course, generally by the reports I see from time to time.

1994. What reports from time to time do you mean?—I cannot quote you any, and you must take that for what it is worth.

1995. I will; I have got the advantage of you there. I will take the report of 1890, which is published by the authority of the Registrar General of Births, Deaths, Marriages, and so on—"Matropolitan Water Supply," page 50: "Thus

Mr. *Pember*—continued.

"Thus the Lee water delivered during the year 1890"; you told me all the water of the Thames companies was good, did not you?—Yes; I believe it is generally admitted to be so.

1996. Then they being good, this is what the report says about the Lee water: "Thus the Lee water delivered during the year 1890 was of much better average quality than that of the Thames, and it contained markedly less organic matter than at any time during the previous 22 years"; that looks as if it were very good indeed; does it not?—Yes; those reports vary very much from time to time, I am afraid.

1997. Can you find me the report for 1889?—I cannot at this moment, unfortunately.

1998. I do not propose to do otherwise than emphasise the "compliment" and illustrate it; on the next page, page 51, I find these words in the report: "Thus, of the deep-well waters, that sent out by the Kent Company contained by far the least proportion of organic matter"?—Chalk water.

1999. Do not be in a hurry: "Of the river waters, that supplied by the New River Company stood much higher than the others in this respect; whilst, the East London Company's water, was markedly superior to any of the Thames-derived waters, which differed but slightly from each other"; do you think it is a fair thing, if this is the authoritative report of the water taken from the Lee by the East London Company? Do you really think now that it is a fair way for you to describe it: "Although, of course, it is very raw material when first it comes out, I think they manage to cook it"?—Of course there is a good deal of drainage gets into it up above.

2000. Is there?—At Hertford there has been, and at places up above.

2001. Have you ever analysed it or not?—No.

2002. No, you never have.

Mr. *Rickards.*] I do not know whether this is before or after treatment.

Mr. *Pember.*

2003. Do you know anything about it personally?—No, nothing at all; simply from reports I take it; I have not analysed it a bit.

2004. Now, as you know nothing about it yourself—— ?—I am not a chemist, you know.

2005. I did not say you were; on the contrary, I know you are not; but as you know nothing about it yourself either before or after treatment, can you give me any report; it is no good going back to the eve of the Deluge, but can you show me any modern report which throws any slur on the East London Water Company either before or after treatment?—I think it is sufficient that you have got it from me that it is good when it is sold.

2006. No, I do not think it is; you are called here, as far as we can judge at present, as the expert witness for this Bill; we want to see what the knowledge of the expert witness is?—Unfortunately I cannot lay my hands upon the exact passages now.

2007. I think we can afford to leave it there. There is another point on which you have given some tolerably strong answers; one is as to the

Mr. *Pember*—continued.

condition of our pipes and plant underground?—On, no.

2008. You said a gaeat deal of it is old and worn out?—A great deal of it is old, no doubt.

2009. Old; yes?—And worn out. A good deal of it is, I dare say, very old.

2010. Why do you say that. What do you know about "old"?—I know by experience.

2011. What experience?—Old pipes, as they generally are, are old and worn out.

2012. Do you know anything whatever of any of the plant of these water companies; that that is to say, the condition of plant; pipes, or anything else?—All old pipes want relaying.

2013. You will observe, I have not the slightest doubt, but that is not an answer to my question. Have you any knowledge whatever of any of the plant of the great water companies?—Not of the London companies; except that they are very old.

2014. If you know nothing about it, what made you make such a specific statement as this; the worst feature, of course, about the companies, is the pipes?—It is the enormous waste in London; it is fearful. That is where the point comes in; you must let me answer that in my way.

2015. You will answer it afterwards in mine?—You must allow me to answer it my way, then you can cross-examine me upon it.

2016. I will?—London, as a practical fact, uses 30 gallons a head of the population. Our works are very much better works. For instance, in a district like that, we use something under 18 to 19 gallons. We give a constant pressure at a very high service. London does not give a constant pressure, and does not give a very high service, yet in spite of that we have a difference of something like 50 per cent. in our favour. That shows me that the pipes in London and the fittings of London are in a very bade state throughout; that is the result.

2017. Now "fittings" and "pipes," of course you will admit, are two different things?—The pipes and the fittings all connect with each other.

2018. Yes, they do, but a "pipe" and a "fitting" are not the same thing, are they; are the fittings under the control, for instance, of the water companies?—Yes, distinctly.

2019. The taps?—Yes, they are.

2020. The taps?—I believe they will not supply unless they are satisfied with the fittings.

2021. Can we prevent, for instance, a poor person from wrenching off and selling a tap?—No; but you go in and inspect when a man lays on water; and we do the same.

2022. When a man lays on water?—You can go and inspect his fittings and if you do not like them, you tell him to alter them; and we do the same.

2023. I want to see what your knowledge is once more. Have you ever gone about among the poorer districts of supply, the Grand Junction and East London, to see the condition into what I may call the cottagers, put their fittings by selling taps and so on?—I have a great deal to do with cottage property.

2024. Do you go about in that way?—In the London district I do not; but I do know it in a

Mr. *Pember*—continued.

district abutting on London. Both at Leatherhead and *here* we we have large quantities of cottage property, very large: and we have great trouble with it.

2025. Take the case of this last winter; there has been a tremendous frost?—There has.

2026. Are you aware that it is a constant practice in small houses to leave the water running day and night, and all day, to prevent the pipes bursting?—It is so.

2027. Do not you think all that accounts for a vast deal of waste?—Yes; but it would account for it equally in our own district; and we do not find it exist.

2028. How many houses do you supply?—In that district alone we are just supplying now 400 houses, that is all; but in the other disdrict down *here* we supply a much larger number.

2029. That was the district to which you pointed me when you said you did the business for 18 gallons per head per day of the population?—Yes; and in Leatherhead alone, in my time, it was about 16 gallons a head.

2030. How long have you been supplying the 400 houses?—That is only the last two years; at least it is only just out of the contractors' hands.

2031. What is the population of the district in which those 400 houses are?—Twenty thousand.

2032. What may fairly be put down as the population per house; five?—Six.

2033. Then six times four would be 24?—That is all; it is merely to show.

2034. Do not be in a hurry, 2,400 out of the population?—That is it; in the first two years.

2035. In other words, about one-tenth?—Yes; that is before the works are finished, you kaow.

2036. Do you know, as a matter of fact, that the London companies supply 4,000,000 out of about 5,000,000?—It makes no difference; the proportion is the same.

2037. Is it, what; do you say that the proportion of 2,400 to 20,000 is the same as 4,000,000 is to 5,000,000?—I do not quite follow your question.

2038. I think you did not; I think that is the case with a good many of my questions?—I do not follow your question there.

2039. As a matter of fact, you supply about one-tenth of your population?—The works are not finished. There they were only handed over last week.

2040. Whether they are finished or whether they are not, you supply about one-tenth of your population?—If you supplied one house it would be sufficient to show the illustration.

2041. Would it. Suppose that was a gentleman's house where not only the fittings were all admirable, but where the managememt of the house was excellent, and where there was no waste; would that house be a test in order to show what would go on in your district?—No.

2042. Do let me finish my sentence in order to show what went on in such a district as that supplied by the Grand Junction or the East London?—No; the East London is very difficult. I know.

Mr. *Pember*—continued.

2043. It is very difficult indeed to avoid waste, is it not?—In the East London it is, very.

2044. And the Grand Junction I mean to say the say the same?—Not so much; the East London is very bad; it is very difficult.

2045. The worst of all?—The worst of all.

2046. Also the Southwark and Vauxhall, although I am not appearing for them?—It is very difficult; the East London is worse than all.

2047. And a very great deal of the New River is very difficult, is it not, also?—It is very bad; the people are very wasteful indeed, notoriously so.

Mr. *Bristowe.*

2048. Can you tell me how Rickmansworth is drained, or whether there is a main sewerage at Rickmansworth?—There is very little drainage; it is very imperfect.

2049. It affects the water supply in the in London how Rickmansworth is drained, does it not?—It is drained by very old drains, not perfect, it is veay imperfect.

2050. Is there a main drainage?—You can hardly take it as drainage at all.

2051. There is not so much water required for water-closets, is there?—No, the requirements of that district are very very small indeed.

2052. That accounts for the 18 gallons only being wanted possibly?—Oh, no; that refers to old houses that we have got, and that is taking the house and population.

2053. What I mean is this: if there is a main drainage system that goes down the town, a great deal of water is required to flush those drains, and very little is required in Rickmansworth?—Very little is required there, but we have some very large places outside.

Mr. *Pember.*

2054. There is one question perhaps you will allow me to ask the Witness, which I forgot; can you tell me what sort of houses those 400 houses are?—Yes, I can. The largest is Lord Hillingdon's, where we have 15 water-closets in one house; it is a magnificient mansion, with fountains and vineries all round; there are 15 water-closets in that one house. It extends from that down to laboursers' cottages at half-a-crown a week.

2055. How many labourer's cottages do you supply?—I cannot remember now; it is a great many.

2056. It is rather interesting to know that?—That is only just beginning; but if you take the other district——

2057. Stick to the thing we are asking you about. How many labourer's cottages in your Rickmansworth district do you supply?—I cannot give it you now, I can get it, of course.

2058. Do you think you supply 10?—Labourer's cottages?

2059. Yes?—Why, good gracious me; only the other day we put on some two or three and twenty.

2060. Do you think you supply 50?—Labourer's cottages?

2061. Yes

Mr. *Pember*—continued.

2061. Yes?—I should say 300 of them are labourer's cottages.

2062. Would you mind giving us, before we meet again, something like an account of the character of the houses you do supply?—I cannot do that without I take a survey.

Mr. *Rickards.*] He says 300 out of 400.

Witness.] Yes, worse luck.

Mr. *Pember.*

2063. Do they have water-closets?—No.

2064. Do they have baths?—No

2065. Is there any place in the neighbourhood where there is water used for public purposes to any great extent in your Rickmansworth district?—There is the usual amount of water used for public purposes.

2066. Where?—The local authority of Watford (and all up there) have it laid on now, for street watering.

2067. Does Watford take your water?—We are in the board district.

2068. Does Watford take your water?—The local authorities of Watford do.

2069. They do?—Yes, for the purposes of Rickmansworth.

2070. For the purposes of Rickmansworth town, you mean. Do they water the streets?—They have got hydrants put on for watering the streets.

2071. Do they water the streets?—I believe they do.

2072. Do you know it?—They have agreed with us, and we have got the hydrants in for them. I do not know what they do.

2073. Whether they are used or not would be a factor in the consideration of this 18 gallons a day?—I may tell you this: that in the Leatherhead district (which is very much larger), from what has been going on during the time I was their engineer, I used to think that 15 to 16 gallons a head was sufficient, and the reason is simply this: that our fittings are new fittings of the best quality; we are most careful, and that our inspectors ——

2074. Let us suppose that you are absolutely immaculate?—We are much better than you.

2075. Are there any manufactories in your Rickmansworth district?—Down at West Drayton there is a large quantity of manufactories.

2076. Do you supply them?—We have supplied the electric light works.

2077. What is the total amount of your trade supply?—I have not got it here.

2078. What is the total amount of your trade supply in your Leatherhead district?—I have not got it.

2079. Is there any at all?—I do not think there is much.

2080. You are aware there is a very large trade supply in London?—There is; but that does not account for it. It is wasted.

Cross-examined by Mr. *Gerald Fitz-Gerald.*

2081. For the Chelsea and Middlesex I have only a question or two to ask; your evidence has been directed chiefly to sources of supplemental supply, has it not?—Entirely.

Mr. *Gerald Fitz-Gerald*—continued.

2082. Suppose the companies had the requisite powers, would not those sources of supply be equally available to them?—Most certainly.

2083. Is it your opinion that the consumption per head is capable of being considerably reduced?—Do you mean in London, generally?

2084. In London?—Yes, but that would involve, of course, improvements in fittings, and it would involve various alterations. It could be done, no doubt.

2085. Do you think the possible saving might amount to as much as 10 gallons per head of the population?—Not without spending a good deal of money upon your pipes and fittings.

2086. And would the saving of 10 gallons per head come to something like 40,000,000 or 50,000,000 gallons extra?—It would, if you could do it, but you could not do that, I think; you could not do so much as that.

2087. The saving might be very considerable?—It no doubt is considerable; the constant service, I believe, helps.

Cross-examined by Mr. *Bidder.*

2088. Just one or two questions for the Southwark and Vauxhall Company. I may just as well put it to you at once, as you have answered that question by Mr. Fitz-Gerald. I do not know whether you are aware, but the Committee are, because they had it in evidence the other day, that the Southwark and Vauxhall Company at the present time, in connection with the introduction of the constant supply and the improvement of fittings, are effecting a very considerable saving?—Oh, yes; I know that; that is what I say. The constant supply is helping them.

2089. I am obliged to trouble you because you have made some statements with reference to my company and their officials, in Question 1467, and I am afraid I must bring you to book about them?—I am very sorry. I hope I have not spoken disrespectfully.

2090. You are asked whether the Rickmansworth undertaking received any support, and from whom. You answer: "The chairman of the Uxbridge and Rickmansworth Valley Water Company is Alderman Sir Henry Knight, the chairman of the Southwark and Vauxhall Water Company"?—That is so.

2091. That is perfectly true, I do not dispute that: "And Mr. Tritton one of the directors of the Southwark and Vauxhall Water Company is also a director"?—That is right.

2092. "Mr. Bousted, one of the directors of the Lambeth Waterworks Company, is also a director?"—That is right, I believe.

2093. Wait a minute. I do not suggest that those statements, as a matter of fact, are not right; but you go on to say this: "When the springs were first discovered by our boring they sent their engineer down. Attention was drawn to the springs, and they sent their engineer, Mr. Restler, down?"—That is right, perfectly right.

2094. "And he he went over the springs and examined them." By "They" you obviously meant the Southwark and Vauxhall Water Company?—I see what you mean.

2095. Mr. Restler is engineer of the Southwark and Vauxhall Water Company, is not he?—Yes.

Mr. *Bidder*—continued.

—Yes. Sir Henry Knight would not have anything to do with it until Mr. Restler had been down independently; he thought I might have taken rather too sanguine a view of it.

2096. If you had said that Sir Henry Knight, being in contact with Mr. Restler as chairman of the Southwark and Vauxhall Water Company, had consulted him and asked him to look at the matter for him, I should not have quarrelled with you?—I must correct it then, if put a false colouring.

2097. Then you withdraw it?—I do not withdraw anything.

Mr. *Rickards.*] Page 81.

Witness.] *Here* is Mr. Restler's report.

Mr. *Bidder.*

2098. You said you were going to correct it?—I want to know what you find fault with? It is true.

2099. I find fault with the statement that the Southgark and Vauxhall Company sent their Engineer down; and I invite you to withdraw it?—I see, it was these individuals gentlemen of the Southwark and Vauxhall Water Company—

2100. No, no; it was not; it was the individuals consulted a gentleman who happens to be the engineer of the company of which Sir Henry Knight is chairman?—Then we want to alter the word "they" into——

2101. I invite you to withdraw the statement, which implies that the Southwark and Vauxhall Water Company sent their engineer to examine your work?—No; what it implies is that the Chairman of the Southwark and Vauxhall Water Company and one of the directors of the Southwark and Vauxhall Water Company did send that gentleman down?—You call him "their engineer;" He is not their engineer. He is engineer of the first two, but is not engineer of he three.

2103. I beg your pardon; he is the engineer of the Southwark and Vauxhall Water Company, but that does not belong to Sir Henry Knight?—Sir Henry Knight has a good deal to say to him.

2104. No doubt he has; that is only quibbling with the words; you do not mean to suggest that the Southwark and Vauxhall Water Company have ever made any inquiries into your undertaking?—Oh, no; not as a company. It was the individuals of the company.

2105. Then I am afraid I must go a little further, and get a little more upon your explanation?—I tried to explain all this as well as I could.

2106. "And his report was so favourable that Sir Henry Knight and the directors came; and I may say this" (I want your particular attention to this) "that they have supported it all through and recommended it to their shareholders as being a supplemental supply for London"; what did you mean by that?—That statement is, I think, practically the fact.

2107. "Practically"?—Yes.

2108. What do you mean by "practically the fact"?—Why, in this way, that the chairman and one of the directors were in favour of it, the engineer was in favour of it, and I believe that

Mr. *Bidder*—continued.

the prospectus (I do not know much about that) was sent to many of the Southwark and Vauxhall Water Company's shareholders.

2109. By whom?—By the new company.

2110. Observe! your statement here is, and you know this thing goes down, and is in print, that they "recommended it to their shareholders:" if it means anything, it means that the Southwark and Vauxhall directors recommended to the Southwark and Vauxhall shareholders this thing as a supplemental supply: have you the least foundation or ground for making such a statement?—Well, I must say I understood that it was so at the time, and I think so now.

2111. Now that I tell you it is not so——?—I will look at their prospectus.

2112. I invite you to give me any authority for the statement, or else to withdraw it?—I cannot withdraw what is a fact, you know.

2113. No, but you can withdraw what is not a fact, and the sooner you do it the more comfortable for yourself.

Mr. *Pember.*] Do withdraw, Mr. Grover.

Witness.] Here it is. Here is the prospectus.

Mr. *Bidder.*

2114. Is that the prospectus of the Southwark and Vauxhall Water Company?—No; just let us look.

Mr. *Rickards.*] Just go slowly.

Witness.] Let me go my own way, Mr Bidder.

Mr. *Bidder.*

2115. What is that document?—This is the prospectus of the Rickmansworth and Uxbridge Valley Water Company.

2116. Will that support the statement that the Southwark and Vauxhall Water Company recommended it to their shareholders?—There are two gentlemen who are Southwark and Vauxhall directors, on the prospectus; and over *here* we have: "The directors have also obtained a report from J. W. Restler, Esq., C.E., which in all particulars confirms the report of the engineer." That is the engineer of the Southwark and Vauxhall; and *here* you have two directors of the Southwark and Vauxhall.

2117. That is how you told the Committee that the Southwark and Nauxhall Company recommended it to their own shareholders?—As a matter of fact, I believe this prospectus did go, amongst others, some of the shareholders of the Southwark and Vauxhall Water Company?—Very likely; probably it did.

Mr. *Pember.*] I think it came to me.

Mr. *Bidder.*

2118. Anybody who had money and was likely to invest; but you do not suggest that the Southwark and Vauxhall Water Company sent it?—Not as a board; they certainly did not.

2119. Do not you think you had better gracefully withdraw that statement as affecting the Southwark and Vauxhall Water Company?—As affecting the company no doubt it ought to be withdrawn; as affecting the individuals of the company (that I endeavoured to explain here) it ought not. I tried to explain several other

Mr. *Bidder*—continued.

other things besides, only there was so much cross-examination I got rather muddled; but the statement is substantially true.

2120. It is substantially true you say; we know now what you mean by "substantially true," at any rate?—Well, it is so far true that that was the impression we all of us had.

2121. Do not you think you had better leave it now and go to something else ——?

Mr. *Richards.*] It is substantially true: that is enough.

Witness.] I do not think I can leave it alone.

Mr. *Bidder.*

2122. You admitted to my learned friend, Mr. Pember, as is obvious, that the new additional source of supply you were indicating, the supply from the chalk, could be utilised by the existing companies; you said, if they had the necessary Parliamentary powers?—Yes, that is right.

2123. Are you aware that my company, the Southwark and Vauxhall, not only has the necessary Parliamentary powers, but has actually sunk a well down into the chalk, which is ready now for a supplemental supply as wanted?—Do you mean the one at Streatham?

2124. I do?—I know that there is a well at Streatham?

2125. Do you know that it is into the chalk?—Oh, yes; and through the chalk, I believe, a long way.

2126. Do you know that it yields a large supply of water?—It yields some water; yes.

2127. It yield "some water"; do you mean by that to suggest that it does not yield any appreciable quantity?—Not a very large quantity.

2128. Do you know what quantity it is capable of yielding?—No, I have no means of knowing.

2129. Then why say "not a very large quantity"?—Because I read Sir Henry Knight's report upon it.

2130. Then do you know what Sir Henry Knight's report says about it?—I remember Sir Henry Knight's report. I have not got it here; but it was to the effect that that well at Streatham proved there never could be a large quantity of water obtained, to the best of my recollection.

2131. Your memory is sometimes inaccurate, as you will admit, we have had one or two instances. If you would refer to the report of Sir Henry Knight——?—I have not got it here, but I remember it at the time. It made a great impression upon my mind.

2132. With every desire to be accurate your memory is a little treachorous now and then. If you could refer me to it, I should be glad?—I cannot, but I think Sir Henry Knight would not deny it if he were here.

2133. But that is not the way to give evidence, to tell me Sir Henry Knight would not deny it if he were?—You ask me all manner of questions. I cannot turn it up at the moment.

Mr. *Richards.*] Is Sir Henry Knight coming?

Mr. *Bidder.*] I am sure I do not know at the present time. He was here the other day.

Mr. *Pember.*] We want to know the basis on which this gentleman makes a certain statement?

Mr. *Bidder.*

2134. You make another statement, by-the-bye; and as I am on my legs I may as well correct that. You told the Committee (Question 1403) that a Bill was brought in last year by the local authorities of Richmond for relieving them from the abstraction of water by the Thames water companies, which Bill you opposed, you said. I do happen to know a little about that, because I promoted that Bill, and had the pleasure of cross-examining you?—I think you cross-examined me for two hours, so that I ought to remember it. I hope you will not repeat it.

2135. As a matter of fact, just to set matters right, the main ground upon which that Bill was promoted, the main difficulty to be met, was not so much the abstraction of water by the water companies as the lowering of the water by the improved tidal action of the river, was it not; did not we show that, owing to the improvements in the river below, the tide ran out so much more that the river was left dry at low water?—That is one of the things that were proved.

2136. That was the main thing, was it not?—Part of it.

2137. Which you attempted unsuccessfully to contravert?—Yes. I hope you will not give us that cross-examination again.

2138. I only want to remind you?—I have a recollection of that.

Cross-examined by Mr. *Lewis Coward.*

2139. I appear on the part of the Kent Company; I want to ask a question or two. Will you turn to page 77 of the evidence you gave, Question 1397. You were asked this question by my learned friend, Mr. Lyttelton: "Do you think as a practical engineer that much more can be drawn from the Kent wells for London or not?—(*A.*) I do not think very much can be drawn from Kent." That was your answer; upon what do you base that statement to the Committee?—Upon this: that they are drawing now, I believe, up to about 17,000,000 gallons a day from the chalk.

2140. Who told you that?—I think the engineer told me.

2141. You think so?—Yes, Mr. Morris.

2142. You think Mr. Morris told you?—Yes, I think that is their maximum.

2143. Is that the only information you had in reference to this statement about the supply that you gave?—I forget now, really.

2144. Just for one moment let me refer to page 45, to what Mr. Wilkins said. Mr. Wilkins is asked this question by my learned friend Mr. Moon, on behalf of the Kent Company; Question 718?—I have not got that.

2145. Listen to this, please: "As regards its quantity again, the quantity which is available for the Kent Waterworks Company is more than enough for its district at present?—(*A.*) For existing requirements, yes." The next question: "And for its probable future requirements?—(*A.*) Yes; and therefore they could spare water to the rest of London." Now that is diametrically opposed to the evidence you have given; which do you think is correct?—Well, they have got a basin at the back of them.

Mr. *Lewis Coward*—continued.

2146. Who have got a basin;—The Kent Company, of about 150 square miles. Even if you assume that that is available, yet it is a large amount to draw from so small an area.

2147. You know you have made the statement that, as a practical engineer, you do not think much more can be drawn from Kent; I want to know upon what you base that statement? Mr. Wilkins has been here, and he says exactly the opposite to what you say?—Mr. Wilkins is not an engineer, and does not know anything about it.

2148. You say Mr. Wilkins is wrong; is that so?—I differ from Mr. Wilkins.

2149. Now, let us see what you do know about the Kent Water Company's supply; do you know what the chalk area is within the Kent Company's district?—I think it is something like 150 square miles.

2150. Without counting that which is covered with the London Company between Addington and Bexley?—Yes, that may be so; you will correct me if I am wrong.

2151. I will correct you over what you have been told; if you were told that, it was incorrect. The present daily supply from Kent is 12,000,000 gallons; I daresay you will accept that from me, as I am their counsel?—It may be, but they pump very much more.

2152. Do you know what the capacity of this chalk area is per day; would you be surprised to hear it was 45,000,000,000 gallons?—I daresay it might. I am very glad to hear it. It only shows that I have very much under-rated the chalk.

2153. You have; we want to know how you came to give this information; have you ever been over the area of supply of the Kent Water Company?—Pretty well. I have done one waterworks down there; you have just bought up a little company of mine, the Westerham. That, I carried out.

2154. £.3,000?—I do not know what it was. I made a railway up there, and made the waterworks afterwards; and they bought it afterwards.

2155. Do you know that, in addition to this chalk, there are large quantities of water which escape into the Thames from the chalk, the Thanet sand, and the Woolwich and Reading beds?—Yes; the Woolwich and Reading beds underlie the clay all over London, of course.

2156. In addition to the chalk; I am putting this in addition to the chalk?—Quite so.

2157. Are you aware that in some cases, take, for instance, Erith, that the head-water is so strong as to prevent any deposit of sewage in the bed of the river?—No; but I have no doubt it is very strong.

2158. Would you think that this additional supply that I have mentioned might be put down at somewhere about 10,000,000 gallons a day; will you dispute that figure?—10,000,000 gallons on the top of 12,000,000.

2159. On the top of the 45,000,000, Sir, which you have admitted to me. You have admitted to me that it is not unreasonable to say that this chalk area has a capacity of supply of 45,000,000 gallons a day. I am putting now a supply in addition to that?—You cannot take all you have got; you might as well say we might take 70,000,000 gallons, because we estimate there is 70,000,000 gallons going down to the Colne.

2160. You have come here to give evidence about supplemental supply?—I know I have.

2161. And I am putting this to you as being in this Kent supply. I ask you whether you dispute that figure. I put the small figure to you of 10,000,000 gallons in addition to this 45,000,000 gallons. I am waiting for an answer, Mr. Grover?—Well, it is possible.

2162. It is possible. By the way, do you know the district of Cliff, near Rochester?—Chatham; I know Chatham.

2163. And the chalk of the Medway valley?—Yes, I know Chatham.

2164. If that is taken into account that would increase the amount, would it not?—Yes, but you cannot take that.

2165. Why not?—You are too far down.

2166. Oh, dear no, Mr. Grover. Have you ever been there?—Chatham. Yes, I have just been carrying out works for the Chatham Local Board.

2167. Now let us go into another area; the lower green sand area?—Yes.

2168. That feeds the head waters of the Darenth, does not it?—It does.

2169. That could be relied upon for a supply, could it not?—No; that is where my Westerham Water Works are.

2170. Then we shall get upon something you do know of your own personal experience now?—Yes, personal knowledge.

2171. In addition to this is not there the lower green sand of the adjacent area of the Medway; could not that be taken into account?—Yes.

2172. With those millions of gallons now, that I have put to you, do not you think that it is well for you to withdraw this answer that you gave; that you did not think that much more could be drawn from Kent now? I am sure you will answer me fairly?—No doubt more can be drawn.

2173. You wish to qualify the answer by "no doubt"?—I may put it in this way: They find fault with us for proposing to take 20,000,000 gallons a day from 234 square miles; therefore, it is not unreasonable to say that in taking 12,000,000 or 15,000,000 gallons from 150 square miles you are drawing pretty nearly up to the full amount.

2174. That is not an answer to my question; I have shown, and you have been good enough to admit, that in the Kent area there are millions and millions of gallons, which I have shown you; I have given you figures, which you have admitted, up to over 55,000,000 gallons, in addition to others?—But you cannot get it all; there may be 55,000,000 gallons passing away underneath, but you cannot secure it all; there is 70,000,000 gallons, according to us, at Rickmansworth.

2175. You have admitted 55,000,000 gallons; I ask you now, will you withdrawn or qualify the answer you gave to my friend Mr. Lyttelton, that you did not think very much more could be drawn from Kent?——

Mr. *Rickards.*] He has qualified that by saying, "from their present source of supply."

Witness.]

Witness.] I am speaking, of course, of their present sources of supply.

Mr. *Lewis Coward.*

2176. I will pass on if you had rather not answer it; I have only one other question to ask you; I do not know whether you are aware that throughout the Kent district all the local authorities have preferred that the company, rather than themselves, should undertake the supply to the public?—I can quite imagine that; I can quite realise it.

2177. It has been suggested in these rooms that so much of the Kent Company's area of supply as lies within the area of the London county council should be taken over by the London county council, and the rest by the local authorities; as a practical engineer, do not you consider that ridiculous?—That is impracticable; quite impracticable.

Cross-examined by Mr. *Worsley Taylor.*

2178. I have to ask you a very questions for the Middlesex county council and the corporation of West Ham. When were you first consulted by the vestries?—I think it was in October.

2179. Then, if I have followed your evidence aright, you made a report in writing to them?—No, I never made them any report.

2180. Then the report spoken of was a verbal one, was it?—All that I have ever seen of them as a body was that I once went before them. I think it was in the autumn. I think it was October.

2181. Never mind about that; I am not particular about that?—I think it was October.

2182. I understand you have not made any formal written report to them at all?—Never.

2183. Now, a word with regard to your Rickmansworth Act. I understand that you make your justification for handing that over to London the provisions which are contained in your Act of 1884, enabling the company to sell water in bulk to the companies and the sanitary authorities, and so on, named in the Act?—Yes.

Mr. *Rickards.*] Not named in the Act, *any.* There is a great difference.

Witness.] To anybody?

Mr. *Worsley Taylor.*

2184. That is the justification?—It seems to me to be very fair.

2185. I want to get that clear; that is the justification you rely on?—That is the idea, the charter on which we base.

2186. But for that it would be taking away water which is in the county of Middlesex at Rickmansworth, through the county, for the purpose of supplying the London area, which is at a distance?—Most distinctly it would be taking that water.

2187. You know that is contrary to the practice of Parliament; that practice having been orginally suggested by the Duke of Richmond's Commission in 1869?—It is not contrary to the practice of Parliament in the New River district, in the Lee River district, now in Kent.

Mr. *Worsley Taylor*—continued.

2188. Assuming that that water which is in Middlesex is wanted by people nearer, is it not contrary to the practice of Parliament, and to the principles laid down by the Duke of Richmond's Commission in 1869, that that water should be taken away?—Most certainly.

2189. It is?—Yes, but that is why Parliament (Lord Redesdale) insisted upon very properly having that proviso in our Acts, that no water should be taken from those districts until the districts had a proper supply.

2190. I just want to read, as it is very short, a passage from the Report. We, of course, are familiar with it; I know all about that: "It appears to us that the Legislature should always jealously watch any proposal for a town taking water from a gathering ground at a distance from it, lest by so doing it may deprive other places nearer to such gathering ground of their more natural source of supply"; so it goes on in the same spirit?—That is so; but *this*, remember, is the valley of London, and it is the waters of London, so to speak. If you went into Wales, and took water from there and brought it up to London, it might, no doubt (and would) apply with enormous force, but here it is the London Valley taking water from its own district.

2191. That may be; but I suppose you will not qualify all Mr. Wilkins' words as to the fact that the area outside there is rapidly increasing in population, that is, outside London proper?—Certainly; but it is the London valley and the London river.

2192. Still it would be jumping over those intervening populations for the supply of London?—No, we are supplying those intervening places, as I say. Northalt we are supplying now.

2193. Which places, some; you are supplying some people within the purple part?—We are, as a fact, supplying from our mains up *there.* We come down *here*; round *here*; through *here*, and supply up to *there*, within sight of the reservoir. All *this* is Lord Hillingdon's country; we are supplying all through *this* part (*pointing to the cartoon*).

2194. Are you supplying the whole of Middlesex within your purple limits?—We have 37 miles of mains now in all the parishes. It is out of the contractors' hands only a fortnight.

2195. That is what you are actually supplying?—That is what we are actually supplying.

2196. You have suggested that this is your justification for departing from that general principle?—But we do not depart from any "general principle."

2197. You do not agree with me in that. That is a matter for argument?—The Act distinctly says, here, we may not supply water outside until we have supplied in our own district; if you will kindly read the clause.

2198. The words of your Act are these: you may supply "any corporation, sanitary or other authority, and the trustees of any turnpike or other road, or any highway board, or any surveyors of any highway, or any railway company, or any other companies, bodies, or persons"?—That is so.

Mr. *Worsley Taylor*—continued.

2199. Have you got the Act?—I have got the Act before me.

2200. Before we came into this room was it ever suggested to Parliament, or to anybody else (but Parliament is the material thing), that any London water company was intended to come within the scope of that provision?—I do not know about "London." London is a near neighbour. It was certainly in the case of the Leatherhead.

2201. You heard my question; my question was definite enough?—Yes.

2202. "Any London water company," was it?—It certainly was in the case of Leatherhead distinctly.

2203. Was it ever suggested to Parliament in the case of Rickmansworth?—I do not say anything was ever suggested. I do not know that anything was ever suggested about it.

2204. That answers my question about it?—It did not require any suggestion.

2205. You see the water area of the London companies defined on that cartoon?—I do.

2206. Are there parts in the county of Middlesex within that area of supply which are now supplied from other sources than one of the eight companies?—Yes, numbers. For instance, those houses were we are now, those buildings.

2207. Never mind "those houses." As for instance, to take a few, the Tottenham. Have the Tottenham Board got their own waterworks?—Yes, I think they have.

2208. Hendon, does that apply to?—I think it applies to Hendon; yes.

2209. Uxbridge?—Oh! yes, Uxbridge; that is outside.

2210. And of course in your Rickmansworth area?—Yes; but *this* is all water companies all round. There are a number of water companies don to Edgware; the Colne Valley is one; then there is the Central Middlesex; there is the South West Suburban. It is all companies, all over, every inch there is cut up amongst companies.

2211. Quite so; I am obliged to you for that?—I have not shown them all there, but they are all companies.

2212. You agree with me that actually within the water company's area there are other companies beside the eight which are to be bought up, supplying; and you suggest also that outside the water area, and within the area of Middlesex there are other water companies?—A large number, all the way round.

2213. In other words, within the boundary of the county of Middlesex there are a number of companies and a considerable supply of water?—There are a number of companies with "a considerable supply of water," is not quite so certain.

2214. There are a number of companies now supplying water?—There are.

2215. Getting it out of the area of Middlesex?—Decidedly; and we are supplying central Middlesex; we are supplying central Middlesex at Northalt.

2216. Now to come back to the only point I was asking you about. You have concurred that there are certain other water companies within the area of the eight which are now supplying, of which I take as instances, Tottenham, Hendon, Uxbridge, and Rickmansworth; you propose, in spite of that fact, in spite of the fact that they are now getting supplies in those areas, to rate the whole of the water area and the Rickmansworth water area?——

Mr. *Rickards.*] He is not a lawyer, you know.

Mr. *Worsley Taylor.*

2217. Do you know the provision?—No. I conceive that the rating would apply in this Bill' as it applies to the London water companies districts, and to the man who takes water. Many men would not take water. You will not rate a man who does not take water.

2218. Take the case of Tottenham. Here is the case of an existing water company, with existing limits, and people satisfied with that supply?—We will not interfere with them.

2219. Why are they to be rated when they have got their water already?—As I conceive, you would not rate them.

2220. They would not be rated, you think?—If you did not supply them with water you would not rate them.

2221. Is that your view of the effect of the Bill?—I presume the rating will be carried out pretty much as it is now; that a man will be rated if he takes water.

2222. And not otherwise?—I presume that is the idea.

2223. That is your idea, as a reasonable man, of what it ought to be?—That is what we do in our districts.

2224. If that is so, where is the security for the purchase-money?—By the 1,100,000 *l.* a year that the companies earn; 1,200,000 *l.* a year, I think it is.

2225. That would be sufficient, you think, and nothing need be borne by the rates?—I have not gone into the finances.

Chairman.] This is hardly engineering.

Mr. *Rickards.*] No.

Mr. *Worsley Taylor.*] If you think that I will not pursue it.

Witness.] They have 1,200,000 *l.* revenue a year; that would be the security, of course.

2226. Have you had anything to do with advising the promoters on the finance of the Bill?—I have drawn up my own ideas of finance.

2227. Have you gone into these matters with the promoters?—Merely as a person familiar with water finance, that is all.

2228. As an expert?—Yes; but I am only an engineer, not an accountant.

2229. Did you discuss those matters with the committee?—Not with the committee generally; with the members of the committee I often have discussed them.

Mr. *Rickards.*] He is not responsible for that.

Witness.] I am not responsible for the figures.

Mr. *Worsley Taylor.*] I do not know whether he is responsible for what is put in the Bill.

Witness.] There is very good security indeed.

2230. Take a concrete case, to shorten the matter, Sub-section 14 of the 13th clause; did you discuss the provision of special directions to the

Mr. *Worsley Taylor*—continued.

the arbitrators?—Will you read it to me? I have lost it for the moment.

2231. "In estimating the amount of compensation payable in respect of the undertaking of any company, the board of arbitration shall have regard to the value of such undertakings prior to the introduction into Parliament of the Bill for this Act," and so on; I need not read the rest of it?—Yes; that is right. I presume that is to guard against any rise consequent on these proceedings, and a very proper provision. This is the same arrangement as was, I believe, carried out in Mr. Smith's Bill formerly, by which a line had to be drawn at a certain date, and any rise or fall at that date consequent upon those proceedings had to be taken into account; a very proper arrangement.

2232. And necessary in the interest of those whose are to purchase?—Of course; what did happen in the case of Mr. Smith's Bill was this: there was a great rise consequent on the proposed purchase.

2233. I know what happened?——

Mr. *Rickards.*] Really, Sir, the Witness is put in here for a particular purpose, as the engineer more particularly as to the supplemental supply; Mr. Wilkins has been carefully over this.

Mr. *Worsley Tayler.*] No; pardon me.

Mr. *Rickards.*] It is only a waste of time to ask him questions about matters he cannot know; he is an engineer.

Mr. *Worsley Taylor.*] I am not bound simply to cross-examine the Witness upon the points my learned friends examined upon in chief, that is one of the most elementary rules. The Witness has admitted here that he was consulted as an expert. You will remember he is the only expert brought forward as to dealings in water companies. He has gone into this clause, and he says it is a proper clause.

Mr. *Rickards.*] He was not consulted. He says he had conversations with individual members of the executive committee, naturally, but he is not reponsible for the financial part of the Bill, or the terms on which the water undertakings are to be acquired. He is simply the engineer put in for a particular purpose. It is a mere waste of time to ask him questions upon this point.

Mr. *Worsley Taylor.*] That may or may not be. I am responsible for that; it is surely no answer to say that he is not responsible. The promoters are responsible. He has said he has gone carefully into this, and formed his own idea of it.

Mr. *Rickards.*] That is overstating it. You might have cross-examined Mr. Wilkins upon this point. Mr. Grover is here as an engineer.

Mr. *Worsley Taylor.*] He is here as an expert on the water undertaking.

Chairman.] You are going outside the limits of what should be your cross-examination of an engineer witness, I think.

Mr. *Worsley Taylor.*

2234. I will drop it at once on that intimation. (To the *Witness*) The last matter I have to ask you about which is within your own particular province is this: would there be any difficulty, assuming this Bill to be passed, or any Bill of this kind, in Middlesex and West Ham, in combining the two together for this purpose, having power given to them to buy all distributing mains and to take the supply in bulk; would there be any engineering difficulty in the way?—Supplying water in bulk; to which district?

2235. Middlesex, or a district within the Middlesex county council area and West Ham?—I want to follow exactly what is in your mind; to supply the water in bulk?

2236. Yes; at certain given points, of course, which should be determined in some way?—At West Ham?

2237. I couple both together, but we will deal with them separately, and take Middlesex first; would there be any difficulty, engineeringly I mean?—It is most difficult for me to understand exactly what is in your mind; do you propose to supply the water in the district?

2238. I want to find out what is in your mind; there are certain distributing mains in the county of Middlesex, are not there?—Yes.

2239. That is in my mind; you understand that?—Yes, I understand that.

2243. Would there be any engineering difficulty in allowing the Middlesex or county council authorities to buy those mains and get, through certain of them, at all events, a supply of water in bulk which they should deal with as they like?—I should think it an exceedingly difficult thing.

2241. Just the same provision as in your Rickmansworth Act, that very section you referred to: "The company shall, if required by such other company or sanitary authority" (that is the people who are to have water in bulk), "sell to them all the mains, pipes, and other works of the company within such districts, places, or townships, at a price to be fixed in default of agreement by arbitration at the cost of the purchasing company or authority, under the provisions of the Lands Clauses Acts." What engineering difficulty would there be in the way, in such a case as that, for the benefit of the county of Middlesex first?—You would have to sever the works, cut them in two, practically, if you did that.

2242. Why; the mains enter at a certain point?—Yes, but we must take an individual case. You cannot deal with the whole thing; take our works; take the Grand Junction, for instance. I will show——

2243. Cannot you show it on this cartoon?—Yes, I can explain it on that cartoon, I daresay.

2244. That is a short way to deal with it?—Take the Grand Junction which passes round *here*, and through *here*, *this* piece of Grand Junction; that is their reservoir at Camden Hill; this piece, Paddington, Notting Hill, and all round *here* is inside the county of London; and all this dark part outside *here* is outside the county of London. Now they have a reservoir up *here*, they have another reservoir *here*, and they have another reservoir up at Kilburn

Mr. *Worsley Taylor*—continued.

(which is *there*); and those three reservoirs are all connected together by the main which passes along *here* to Kew, then up the hill and it then goes along from Kew to Camden Hill, and then goes up *here* to Kilburn. How could you cut them off at that point?

2245. Those are principal mains; but would there be any difficulty, engineeringly, in arranging that a company, take this very case you are putting now, should at some point or other supply water in bulk to the Middlesex county council or the local authorities?—When the mains which come up from Kew to Camden Hill pass this frontier *here*, there should be a meter on *there*?

2246. I do not say *there*, I say at some point?—That is where their great mains come along *here*, they enter into your county of London.

2447. No, not my county of London. I have nothing to do with the county of London. I am am asking for Middlesex?—If you have to carry the water from *there* to *there*, you must measure the water.

2448. I am not suggesting that we should have this reservoir you are speaking of and hand it over to your people within London; I am suggesting just the opposite; that you should have the sources of supply to hand over at some point to be agreed upon, or fixed in the ordinary way, the right to require a supply in bulk?—Then what would happen would be this: you would have to measure each and every one of the main pipes; the subsidiary mains. All these districts and all these pieces would have to have meters I think at every point to measure off the water.

2249. Why?—If you want to supply them.

2250. How would you carry out the provisions of your Rickmansworth Act?—Because where we go outside the district; outside the Northalt *here* we have a meter.

2251. Why could you not do just the same in this case?—Because there would be quantities and quantities of meters of vast dimensions.

2252. No, all Northalt takes its supply in bulk from that point where the meter is?—No, they do not take it in bulk; they take it by rate.

2253. They take from that point?—They take it where we cross the frontier; we come up *here*. When we get into Ruislip we have to measure that water coming from the Colne Valley, and we have a meter at the frontier.

2254. If they take it by rate and then find the meter is not wanted, I ask you, as an engineer, what objection there is to deliver to points, and from certain points which might be agreed upon or fixed?—All I can say is that you would have to reconstruct your works to do it.

2255. The whole of your works?—A large portion of them certainly.

2256. Now go to West Ham; what difficulty would there be there?—It would be frightfully complicated; enormously complicated.

2257. Take West Ham. Is it not as simple as it can be there, all round there. Would there be the slightest engineering difficulty in the case of West Ham in arranging that?—I should think very very great difficulty, looking at the map. How could you measure in bulk a large district like that.

2258. Do you know how it is supplied now; do you know the circumstances?—No; but merely looking at the map, I can judge by the map it would be very difficult.

2259. Then, without knowing how it is supplied, or where the mains are, there would be considerable difficulty?—When there are streets ramified, as there are there, there must be immense difficulty.

2260. What has the ramification of streets to do with it, if you allow them to supply as they like?—How can you, when you have streets with pipes running in every direction down them, unless you sever each pipe and bring it all to one point.

2261. You must have the one leading main?—The one leading main to your reservoir. Yes.

2262. Suppose it could be arranged at a point where the supply in bulk was taken, say from that leading main?—If it was arranged so; but that means an enormous outlay.

2263. Why?—Because streets are laid, pipes are in, and everything is in, and you are going to alter the whole arrangement.

2264. Would not that be rather a matter for the local authority to consider?—It would be for the local authority to consider, and no doubt by putting another you could do it; but I think if you sat down with a map and attempted to do it, you would be very much astonished at what you had got into.

2265. You have told me that in the case of West Ham you do not know how the mains are. Would that rightly describe the state of your knowledge as to the mains which would be affected in the county council area of Middlesex. Do you know the details yourself?—I certainly think ——

2266. Do you know the details? that is all I ask you?—Not the whole of the details of the great water companies I do not.

2267. One point on this Act; this is absolutely the last subject I have to ask you about; we have dealt with the matter of supply in bulk; would there be any difficulty in the Middlesex county council, say, having reserved to it the water which is in its own area, as, for instance, Rickmansworth, and the wells of certain of the water companies which are in the Middlesex county council area?—Reserved at its own works?

2268. Yes; a provision that no water should be taken out of Middlesex; that Middlesex should have the first pull on their own?—That is what you have in the case of Rickmansworth. You have got the first pull.

2269. You have got the first pull?—Certainly; from the new company.

2270. Take one concrete case again; Rickmansworth, with its 20,000,000 gallons of surface water; would there be any difficulty in reserving to Middlesex the right to take that?—There you could not use it if you did take it; you have not the population.

2271. Would there be any engineering difficulty?—Not the smallest engineering difficulty in taking the water, of course, of the district; but you have not got the population for it.

Mr. *Lawson.*] May I ask whether the witness can tell us anything of the way in which water is supplied by bulk near the suburbs of Manchester and other cities of the same kind?

Witness.]

Witness.] I cannot tell you how it is supplied in Manchester, Sir; my knowledge of Manchester is not sufficient.

Mr. *Pember.*

2272. I think we could give you that information very likely, Sir, if you would like to have it. I have no doubt we could get it. Perhaps we had better leave it for you to make a formal request to that effect.

Cross-examined by Mr. *Pembroke Stephens.*

2273. I have very few questions to put to you on behalf of the owners of mills and other property on the Hogsmill, Wandle, and Mole rivers; that is a district, you know, that is affected more or less very much by the Leatherhead proposals?—Yes, I know it.

2274. Will you tell me this: I do not think we have yet had this from you; there is only one Act, I think, obtained by the Leatherhead Company?—That is all.

2275. The Act of 1883?—The Act of 1883.

2276. In the Act of 1883 I find two gentlemen named as the first promoters or members of the company?—Yes.

2277. One of those is a Mr. Hunt, and the other Mr. John William Grover?—Yes, I was in it, but that was merely in the Act. It was transferred to the directors immediately it passed.

2278. You were in the matter at a very early stage. This is Leatherhead?—Oh, yes.

2279. You were one of the original promoters, and, in fact, the first beginning of the company?—I was. I am rather proud of it than otherwise.

2280. Then you, of course, can tell us all about that Act?—I can.

2281. I find that when you were giving evidence, on pages 80 and 81, you described fully what the powers were; or what you conceived the powers to be, rather; under the Rickmansworth Act, and then by references you gave Leatherhead powers?—Yes; that was so. The Chairman said he was satisfied.

2282. Quite so. I am not saying for a moment you did anything that was in any way wrong; but you say "In our Rickmansworth district we have power to sell any water to a water authority, or any body within, or without the district; and we have got unlimited powers to sell any quantity of water (Parliamentary sanction), with this proviso, and this proviso only, that we may not sell it outside the district until the district has been properly supplied." Then you go on to say (Question 1453), "We could to-morrow sell any amount of water to London that London wants, if it would buy it of us. I will read you the Act"?—Yes.

2283. That was as regards Rickmansworth. Then with regard to Leatherhead, you were going into that Act, but you did not go into it in detail, but said the powers were very similar. "They are to the same effect if not in the same words." Now, do you adhere to that view?—They are, practically.

Mr. *Rickards.*] Have you got a copy of the Act.

Witness.] Yes, I will read you them. I was going to read them only the Chairman stopped me. I will put it in a word.

Mr. *Pembroke Stephens.*

2284. It is a very long section. Putting it in the shortest possible compass will you refer me to anything in the Leatherhead Act which enables you to sell to the Lambeth Company (which is your next-door neighbours), or to any other water company whatever?—These are the words. I am afraid I must read them to you.

2285. Very well; what is the section?—No. 40.

Mr. *Rickards.*] I think it begins at 38.

Witness.] No; 40 is the section as I read it. "With respect to the supply of water by the company to places beyond the limits of this Act, and for sanitary purposes within and beyond those limits, the following provisions shall have effect: (1) The company may from time to time, on terms agreed on with the local authority, supply water in bulk to such local authority for the domestic or other purposes of any district immediately adjoining the limits of this Act."

Mr. *Pembroke Stephens.*

2286. Is that what you rely upon?—"The company shall, subject to the provisions of this Act, of and whenever required by the sanitary or other local authority of any place within the limits of this Act, supply water in bulk to such authority for flushing sewers and drains, watering roads;" and then it says: "All water supplied to any sanitary or local authority under this section shall be taken by means of a pipe from such part of the company's mains as may be most convenient and may be approved by the company, with a proper meter for ascertaining the quantity which may be taken."

Chairman.] You need not go on any further there, I think.

Witness.] Then Sub-section 4 says: "No water shall be supplied under this section so as to prejudice a full supply to the inhabitants within the limits of this Act;" and then: "Nothing in this section shall prejudice any existing Parliamentary powers, or any application by any other company or sanitary authority for Parliamentary powers, to supply with water any district, place, or township adjoining the limits of this Act."

Mr. *Pembroke Stephens.*] That is somebody else; that is not any further powers to you.

Mr. *Rickards*]. Look at Section 38.

Witness.] Section 38 I will read you.

Mr. *Pembroke Stephens.*

2287. No, we will deal with Section 40 first. You have referred me to Section 40, and you have read the whole of it, or as much as you thought necessary?—That is right.

2288. Refer me to anything in Section 40, which you say gives you power to sell water to any water company, anything in that part of that Section, and I will take for the purpose of illustration your next-door neighbour; your own case of the Lambeth Water Company?—They are, of course, practically an authority for water, our next-door neighbour.

Mr. *Pembroke Stephens*—continued.

2289. Are they?—Distinctly. The Public Health Act is suspended in their favour.

2290. It is not a water authority; it is a local authority?—The local authority is the water authority. Where the local authority has not got a waterworks the waterworks are the authority, and there it is suspended.

2291. One moment: this is a local authority outside the limits of your company, whose powers are not suspended; it is a general local authority: how do you get out of that?—But the Lambeth Waterworks Company are the water authority adjoining.

2292. No, they are not indeed; they are a water company?—The local authority's powers for supplying water have been suspended by the Public Health Act in favour of the Lambeth Waterworks Company.

2293. I cannot let you out of that: the Public Health Act does not apply to the metropolis?—Does it not?

2294. You will withdraw that, will you not; there is no suspension of the powers?—No, the local authority does not supply water in that district; at Epsom they do.

2295. I want to know your Leatherhead powers enabling you to supply water to the Lambeth Water Company or any other water company; you refer me to section 40, where is it?—We have always read and always understood where there is no local authority supplying the water the water company is the local authority so far as water is concerned; that is held to be so all round; if in the Metropolis there is something different; I am sure I cannot be responsible for the difference.

2296. Then I am to understand that according to your reading of this Act the words "to supply to the local authority for domestic or other purposes of any district" means the Lambeth Water Company according to you?—The district of Esher, yes, all round there; but you should read Clause 38 as well: "The company may from time to time enter into and carry into effect"——

2297. We have done with Clause 40; you have said all you wish to say as to that?—Yes, but you should read Clause 38: "The company may from time to time enter into and carry into effect such contracts or arrangements with any corporation, local board, sanitary, or other local authority, and the trustees of any turnpike or other road or any highway board, or any surveyors of any highway, and any railway company and any other companies, bodies, or persons with respect to the supply of water in bulk or otherwise, as the company think fit, for any purposes whatsoever, within the limits of this Act, and every such contract and arrangement may be for such period on such terms, pecuniary or otherwise, and conditions as the company think fit, and may from time to time by agreement vary, suspend, or rescind any such contracts or arrangements, and make others in lieu thereof and in addition thereto."

2298. I call your attention to the words "within the limits of the Act." Do you suggest the Lambeth Water Company is out of the limits of your Act?—If you were to raise a point like that, I do not think it is worth raising for a moment. What it means is this, that the meter should be placed in our estate, that is to say, that the meter where we cross you, the frontier, read with the section means we should have to place our meter not in the parish of Esher, but inside our line.

2299. The power given by Section 38 to supply water for any purpose within the limit of this Act you read as meaning the supply of water outside the limits of your Act?—No, I read it in combination with Section 40.

2300. No we have done with Section 40. That is "local authority"; this is "company"?—You are contending that "local authority" is not "company" for the purpose of water.

2301. Certainly?—There, of course, you are a lawyer, and I am not. If you find a pin hole like that you can creep through it.

2302. Then I am to understand that this supposed power of setting this ten million gallons of water in London depends upon the construction which you put upon Sections 38 and 40?—I certainly must say that I always read it so, and even if it does not, we should put the meter inside our boundary.

2303. Now just another question?—What was the capital of this company formed in 1883?—£. 24,000 or 25,000 *l.*, I think.

2304. Have you spent that 24,000 *l.* or 25,000 *l.*?—We have spent 27,000 *l.* or 29,000 *l.*, altogether; but it is very much enlarged.

2305. You have had no enlargement of powers, I think, since then?—No; we are supplying another parish; the parish of Effingham.

2306. Then you have exhausted your capital powers?—We have.

2307. And you have sunk one well of 200 feet?—Yes; we are supplying all the district.

2308. How much water are you supplying from that well now?—I have not had to do with it for three years. The revenue is about 1,600 *l.* a year, I think, for water.

2309. I mean the quantity of water you pump from the well?—We pump 11,000 gallons an hour, and I suppose we pump 10 or 12 hours a day.

2310. What would that be in the day?—Multiply that by 10 hours it would be 120,000 gallons a day.

2311. One hundred and twenty thousand gallons a day from your well?—Yes.

2312. Where would you get your 10,000,000 gallons a day from; not from that well, surely?—No, not from that well only. But there is close to us flowing from the chalk about 4,000,000 gallons overflowing within a very short distance; there is the Effingham spring at the back of Leatherhead.

2313. Then of course other and very large works would be necessary to get this 10,000,000 gallons?—Certainly; several wells would be necessary.

2314. Have you at all considered where you would be likely to put those different wells?—I should put a very much larger well at the pumping station to begin with, and I should propose to put one up the valley towards Dorking, in the Dorking Valley.

2315. Have you at all settled in your own mind the point where you would pump if you had the money, and if you had the power to sell?—Yes, I have pretty well settled in my own mind;

Mr. *Pembroke Stephens*—continued.

mind; I have not actually located the spot, but it is in that valley.

2316. In the paper of yours read at the Institute of Civil Engineers, did you go so far as to indicate where you would like to pump?—I do not think I actually mentioned it.

2317. Let me remind you of this: "Every well depends for its supply on the catchment area behind it, and the spot to sink is by the side of the river at the junction of the clay and the chalk"?—That is right.

2318. Why at the side of the river?—Because that is the lowest spot in the district. The river represents the draining of the district, and it is the lowest spot; you get your well as low as you can.

2319. The water having drained down, and being on its way to the river, the place to put your well is by the side of the river before the water drain into the river; is that it?—Because that is the lowest spot.

Mr. *Rickards.*] What page are you reading from?——

Mr. *Pembroke Stephens.*

2320. Page 6 of my copy of Mr. Grover's pamphlet: "The most important of these spots" (that is the spot to sink) "in the vicinity of the metropolis on the south-west side is Leatherhead, because the catchment basin of the Mole is so extensive." That is where you put your biggest part?—That is so.

2321. But you would have others?—No, I do not propose to put any here.

2322. Do you not really. "The most important of these spots in the vicinity of the metropolis on the south-west side is Leatherhead, because the catchment basin of the Mole is so extensive"?—That is so.

2323. May I direct your attention to the next page, where you say, "But others exist of much smaller extent, as the Wandle"?—That is so.

2324. And Hogsmill river?—That is perfectly correct.

2325. All your spots happen to be curiously enough, in places affecting my petitioners?—Then I am very sorry indeed. I seem to be leading learned counsel astray where I do not mean to. This has nothing in the world to do with the Hogsmill river, and we have no Parliamentary power to go there and could not go there.

2326. These are days of large ideas, and this is a Bill for the supplemental supply of London; Mr. Grover is the gentleman who is indicating where the supplemental supply of London is to come from?—I say from Leatherhead.

2327. Leatherhead one, Hogsmill two, Wandle three?—No; there was no proposal ever put before anybody by me for supplying any water from the Hogsmill river in any shape or form, and counsel reading that is putting altogether a wrong construction on what I have said. There is nothing in my paper about it at all.

2328. With regard to Leatherhead, Leatherhead is on the River Mole?—It is.

2329. And you have told us of two springs of very great power at Leatherhead?—Yes.

2330. One below the Leatherhead-road?—That is so, the Fetcham spring.

2331. And the other a large one in the mill

Mr. *Pembroke Stephens*—continued.

spring, what is known as the Blue Pool, I believe?—No, that is the Fetcham spring. There is one below it as well; there are two really.

2332. It is characteristic of the Mole that the river occasionally disappears altogether above these springs?—Yes, that is some way up the valley; it goes underneath and comes up again.

2333. You know the name of the Swallows, do you not?—Yes.

2334. Is it not the fact that the river having been lost to sight absolutely above these springs at certain seasons of the year, comes up again in what according to all local tradition is these springs?—That is so; but that has nothing to do with this particular place.

2335. Then if you did happen by any accident to sink your well there or thereabouts, your theory is that it would not affect the springs in any way?—If you did not properly keep up the surface water no doubt it would. What you have to do is to keep the surface water from getting into the wells.

2336. But you see the peculiarity of the Mole is that for one long strip there is no surface water at all?—But that is a mere shallow depression; it is not a thing 200 feet deep.

2337. If you happen to put down your pump just at the place, or near the place, where this extraordinary thing happens you would pump the river into your pumps?—You must not do that, of course.

2338. At the time this Act of 1883 was before Parliament and before the district did you as one of the promoters develop this idea of 10,000,000 gallons for London at all?—I have tried to explain that as fully as I can in my examination. Would you mind looking at my Answer, 1462, that is my anwer. I have tried to make that as plain as I could.

2339. Answer 1462 is all about an interview with the secretary of the Lambeth Water Works Company?—That is so.

2340. But that is not my Question in the least. In 1883 when you were one of the two original promoters of the Leatherhead Water Works Company did you then to the district, or to Parliament, or anybody develop this idea of supplemental supply to London?—No, I did not. I did not think there was the water there till we came to sink the well. It was when we came to sink the well and when we found the nature of the springs that the idea came upon us that it was a source. It was the discovery of the water which did it.

2341. That was an Act of 1883, carefully limited to the "parishes and places in the county of Surrey, hereinafter in this Act mentioned being imperfectly supplied with water"?—That is so. We never expected to find this volume of water, nor did we expect to find the same volume at Rickmansworth. They were entirely discoveries, and it was on those extraordinary discoveries the whole of this thing has grown up.

2342. Then am I to take it that in 1883 you promoted a Bill practically in the dark?—We never expected to find the water there.

2343. Then if you, the engineer to the company, and the original promoter were in the dark, still more were all the residents, the gentle-

Mr. *Pembroke Stephens*—continued.

men with property, owners of millls, and so forth in the dark?—Yes, but my name was only put into the Bill as a matter of form till the directors were named.

2344. Quite so, as a matter of ormament?—Yes, I went out of that the moment I could.

2345. Since that date has there been a considerable working-up in the district as regards the possible effects of interferences by the water companies with the supply from the chalk?—There was no opposition whatever to our Bill.

2346. I quite agree?—No serious opposition except that of Mr. Hankey, who had that very spring you mentioned, and Mr. Hankey was satisfied that by proper clauses being inserted for his protection.

2347. I am quite willing to admit that everybody, including Mr. Grover and Mr. Hankey, was in the dark in 1883, but since that people have not been in the dark; there have been attempts, have there not, in Parliament since to get hold of the spots where the chalk is?—There was that Spring Water Bill, I think before 1883.

2348. No; the London and South Western Spring Water?—You must not quote that, because that was doing diametrically the very thing we disapproved. It was bringing in a competing supply to supersede the London companies.

2349. But it was digging in the chalk?—Yes; it was superseding the London companies. It was the very thing which we say we should not do.

2350. But was not that a case in which the promoters of that Bill equally were trying to do what you do in your case, and said that they could pump any quantity of water out of the chalk, and would not disturb the rivers in the least?—Yes.

2351. Did Parliament believe that story?—Parliament very properly would not sanction a competing scheme, and I hope Parliament will never do so.

2352. They threw it out?—Very properly.

2353. There was another scheme, was there not, for a supply at Croydon?—But Croydon does draw 2,000,000 or 3,000,000 gallons I think now. Mr. Baldwin Latham will perhaps correct me if I am wrong.

2354. I am on the Bill; did Croydon come for a Bill to get large supplies from this chalk district near the Wandle, on the ground that it was underground water, of no consequence to anybody, and that could pump from the chalk, and there would be plenty for the rivers?—I believe there was a scheme proposed.

2355. Was it shown conclusively that the flow of this water, although underground, could be calculated, and that you are really disturbing the natural flow of the rivers, as it were, and was that Bill thrown out?—I cannot tell you the history of that. I was not engaged on it. I know, as a fact, Croydon is pumping, I believe, 3,000,000 gallons a day from the chalk.

2356. My learned friend Mr. Bidder, who has a good deal more knowledge in these matters than I pretend to, suggests to me that after a hard three days' fight Parliament threw it out, and protected the district?—But Croydon is pumping, as a fact, 3,000,000 gallons a day. Mr. Bidder will correct me if I am wrong.

2357. Croydon, you say, is pumping; as a fact, was there a law suit in connection with Croydon at all?—I am afraid I cannot tell you that. Do you mean the great law suit?

2358. You refer me to Croydon, and say that Croydon is pumping; I ask you was there a law suit about it?—Yes, many years ago.

2359. Not so many years ago?—There have been frequent law suits.

2360. Do you know that in the Croydon case the only point was this, whether the Wandle was directly affected by pumping, or indirectly affected by abstraction of the water on its way to the Wandle?—That is a subtle point.

2361. We have dealt with the London and South Western Spring Water, we have dealt with the Croydon case, we have dealt with the Croydon pumping; now I ask you whether there was not another and more recent application to Parliament for power to interfere with those chalk waters in the case of the Sutton Water Company?—I believe there was.

2362. What became of that?—I do not know; I was not in it.

2363. Do you know that there, as here, the riparian owners and the millowners petitioned on the ground of extreme injury to their property unjustifiably, and that that Bill died the death?—As a fact, Sutton and all that large district, together with Croydon, are now supplied almost wholly and entirely from chalk wells, and that the Rivers Wandle and the Beverley Brook still exist; that is the practical answer to counsel.

2364. Chalk wells of their own, not chalk wells of what one may call a poaching water company?—Well, of course, all the wells down the Lee Valley are poaching; all the wells in Kent are poaching; the New River Company is poaching.

2365. You have developed a theory?—It is common sense.

2366. That the water of the district does not go into the rivers, but flows in other ways underground?—Yes.

2367. What means have you taken for knowing how much of the water that falls does or does not go away by the rivers?—Gauges.

2368. What gauges?—The general gauges of of the river. In which case do you mean; the Colne?

2369. You have given a very confident opinion that the water which comes from the skies does not go away, as we have been all accustomed to think, by the rivers, but goes off in some other way?—It goes away by the rivers in the case of the clayey country of Middlesex, but not when it falls on porous chalk.

2370. So you say?—So everybody says.

2371. I want to know what data you rely upon for that opinion?—In the case of the Colne Valley you have this, that about five inches is what is represented by the flow of the river, and about 25 to 26 inches is what falls on the hills.

2372. Is that ascertained by gauges?—Yes, that is generally taken I think as the amount.

2373. A thing taken in a general way in one thing;

Mr. *Pembroke Stephens*—continued.

thing; I want to know what data worthy of being treated and recorded as scientifically correct do you rest upon for your opinion that the greater portion in this case of the rain that falls from the skies does not flow off from the rivers?—If I must begin with authorities I will give you them; I will begin with Robert Stephenson in 1840.

2374. That is a long time ago?—He is a great man. You are asking for data, and I must try and give you the authorities if you insist upon it. I think you might take it that all engineers agree upon this, that about four-and-half to three inches is what the river represents. There is never any discussion about that; we are agreed on that.

2375. That is your reading of the authorities you have consulted?—Stephenson takes four inches.

2376. Those who are behind me do not agree with you in the least?—I will give you what Stephenson says: you had better take him. I have his own report. He takes 20 inches of rain as falling, and of that he takes the rivers as four inches, the sub-soil as nine-and-half inches, and the evaporation as six-and-half inches.

2377. Now take your own case; that is the case of 1840, based on experience previous to 1840; has there been any experience since that?—A great deal.

2378. Then I am afraid Stephenson will not help us much?—If you do not like him I must get someone else.

2379. I put it perfectly fairly to you?—Mr. Homersham used to take about half-about; about 10 inches. Doctor Evans gives, to the best of my recollection, about 10·6 inches out of the 26 as percolating into the chalk, but then he does not admit that so much of that is available for deep springs. I think he takes it at something like four-and-half to five inches.

2380. I will tell you exactly what I am driving at; I will take it that Mr. Homersham said something, and Mr. Stephenson said something, but I want to know this: Mr. Grover either was or is, I really do not know which, engineer to one or other or both of these companies; have you any observations or gaugings of your own upon which you rely in support of that remarkable statement that the water which falls, or the great bulk of it, does not go into the river but goes somewhere else?—I have Talfourd's gauges and Stephenson's gauges, and I have the gauges which are given in Mr. Harrison's report.

2381. Mention all the authorities by name you wish to mention and I will pass away; have you them all now?—There is of course the great authority of the Local Covernment Board which gives I believe 1,100,000,000 gallons as the average, and if you work that out over the chalk district it comes to about eight inches.

2382. Have you given us all; if there is anything else you want to add pray do, and do not say I stop you. Now, I will ask you this question: you told one of my learned friends that there was no occasion to construct reservoirs for the supply of London, because nature had constructed a reservoir for you in the chalk?—Yes.

2383. What use does that reservoir, if any, serve now in connection with rivers?—A great deal of it is lost by the water passing away underneath.

2384. And whatever is not lost——?—May benefit the rivers.

2385. So I thought; you admit, then, any supply benefits the rivers, and is, in fact, the only thing rivers have to depend on when there is no rain, and the only question between us is the extent and degree?—But bear in mind, the whole of this point is that we sink at the head of the London clay, at the point where the water is diverging and passing away below.

2386. As you say in the pamphlet, "by the side of the river, just where all the draining is coming down"?—Yes; then, of course, we keep up the service.

2387. In sinking your pumps into nature's reservoir, are you not drawing on the source which feeds the rivers?—In that particular case on the edge of the basin, I say you are not practically doing so at all.

2388. Then nature has not got a reservoir at that point; is that it?—At that particular point, no.

2389. But that happens to be, curiously enough, the point of the valley towards which, as you told me, the drainage comes down?—Decidedly.

2390. And that is the point to sink to because there is most water there?—That is so.

2391. Then the spot where there is most water is not, according to your view, nature's reservoir?—Not the reservoir of the river, certainly.

2392. You say the water is feeble which flows under London?—Yes.

2393. Have you taken any observations of the rate of the flow under London?—No. The way I got at that is by observing a well which I sunk at Hampstead. I sunk a very deep well at Hampstead, and I found it there. I have ascertained it there beyond all question, and have found it since in other wells.

2394. Have you compared at all the quality of the water passing under London with the quality of the water you have been speaking of at the edge of the basin?—Yes, there is a considerable difference between the qualities of the water; chemical analysis shows there is. That is accounted for in this way, that as the water passes along under this vast bed of clay, it passes through the Reading and Thanet beds, the sands, under great pressure, and they, no doubt, change its nature very much. There is a great deal of salt in that, and it changes its nature. It rubs its back as it were.

2395. Although your argument is that it is the same water but feebler water because of the superincumbent weight; now when we come to look into it, it is not the same water?—Water that has passed through that quantity of sand and clay is liable to very great change.

2396. It is not the same water at all in fact?—Yes, but it is the same water that has been rubbing its back for 15 miles against some foreign substance.

2397. But adopting the phrase we had before, it is the same water but cooked in some way?—It is changed no doubt very materially.

2398. Have you gone into this point yourself as to percolating gauges?—No. I simply take them

Mr. *Pembroke Stephens*—continued.

them from a gentleman like Dr. Evans and others who have devoted a great deal more time to the matter then I have.

Cross-examined by Mr. *Meysey Thompson.*

2399. I have two or three questions to ask you. First with regard to the Corporation of Richmond; you said the last time the Committee met at Question 1532: "You are aware that under the Bill as it now stands it is proposed to exempt Croydon.—(*A.*) But Croydon is exempt; it exempted itself. (*Q.*) And to exempt Richmond.—(*A.*) But Richmond has exempted itself; they have got rid of the Southwark and Vauxhall Company. Many years ago they turned them out." That was your evidence?—Yes.

2400. Now are you aware that though at the present moment they are exempt, if your Bill passes they will be brought within the area of supply?—I think there were some sort of terms proposed with regard to Richmond by which Richmond should be excluded.

2401. But what I want to know is this: you say it is exempt; do you think it ought to be exempt if it is exempt now?—It is exempt in a certain sense. Its position, as I understand it, is this. There was originally a water company for Richmond.

2402. The water company for Richmond was the West Middlesex Water Company?—There was a local Richmond water company I think.

2403. Very likely there was?—I think I am right in saying there was originally a local company in Richmond.

2404. That that so?—Then they were bought up by the Southwark and Vauxhall Water Company; then the Southwark and Vauxhall Water Company quarelled with the Richmond authorities, and the Southwark and Vauxhall Water Company was turned out of Richmond.

2405. They were not turned out except in the sense that they never had Parliamentary powers to supply. They applien to Parliament to give them Parliamentary powers to supply?—Then as a fact they were supplying the district of Richmond and then the Richmond authorities got rid of them; but now I think to come back to the actual states of things, the Richmond authorities were actually buying water from the Southwark and Vauxhall Water Company.

2406. That is easily explainable, because when they applied for powers to take Richmond into their district Parliament not only refused them powers to do so but put a clause upon them, requiring them to supply the water in bulk to the Richmond authorities. That is under the Act of 1884?—Then what I have stated is subtantially true with regard to Richmond.

2407. "The company shall from time to time, if and when required by the vestry, supply the vestry with water in bulk in such quantity as the vestry, by notice in writing under the hand of their clerk, shall from time to time require:" therefore the Southwark and Vauxhall Company have not only no rights in the district, but are subject to a liability to supply them in bulk?—I believe so.

2408. Then practically that is the position of

Mr. *Meysey Thompson*—continued.

things at the present moment?—This Trust would not disturb that.

2409. Under your Bill you would have the power to come in to-morrow, and give us a competing supply, would you not?—Not a bit. As I understand the Water Trust it is this: it stands absolutely in the shoes of the companies. If this trust is created, it will stand absolutely in the position of the water companies.

2410. Then is it your impression that if this Bill is passed in its present form, the Water Trust will not be able to supply the Richmond Corporation?—If the Southwark and Vauxhall Water Company cannot supply, then this trust cannot supply, as I understand.

2411. Is it your opinion that the Richmond Corporation ought to be left out of the Bill, and that they ought not to be allowed to compete if the Southwark and Vauxhall Company were refused powers by Parliament?—Certainly, if they were refused.

2412. Your impression is if the Southwark and Vauxhall Company were refused the powers to supply within this district, the Water Trust ought not to be allowed under this Bill to get powers?—I must say, standing as the Water Trust does, I think you are right.

2413. Then do you think, as a matter of fact, they would get powers in this way because technically the Richmond Corporation is within the district of supply of the West Middlesex Water Company, but as a matter of fact they cannot supply them: they were asked to supply them before the Richmond Corporation could get their powers, and they said they were not ready, willing, or able to supply, therefore for all practical purposes they are outside that district?—They are.

2414. But technically, as they are within it, the Water Trust would get the power to supply within that district, and then they could compete, not from the West Middlesex Works, but from the Southwark and Vauxhall Works?—Yes. I do not see it would make any difference to you.

2415. Do you not see there is some difference whether there is a local authority supplying water under what is a practical monopoly, or whether they can have a competing supply brought in against them at any moment which may be supported by their own rates?—But they can be protected by a clause; it is not in the preamble of the Bill.

2416. The preamble of the Bill defines the metropolitan area; our point is that the Richmond Corporation should be left out?—That is only a question of a few lines.

2417. Do you think that is reasonable?—I rather think that under the circumstances it is.

2418. Then I will not ask you anything more about the Richmond Corporation. Now with regard to Kent, questions have been put to you as to there being a further supply of water beyond what you estimated the other day. Is it not the fact that the population of the Kent Company's district is increasing enormously?——

Chairman.] Who are you representing now?

Mr. *Meysey Thompson.*] The Beckenham Local Board, the Bromley Local Board, and the Bromley Rural Sanitary Authority, Sir.

Chairman.]

Chairman.] The Committee would rather you did not go over any question we have already had before us.

Mr. *Meysey Thompson.*] I do not think this question has been raised. (To the *Witness.*) It is a fact, speaking generally, is it not, that with regard to Beckenham, Bromley, and so forth, the population has in some cases quadrupled since the last census?

Witness.] I must take that from you.

Chairman.] I think it is not worth your while asking the Witness questions about things he does not know. He is an engineering witness, and I do not think that is the right way of putting your evidence in.

Mr. *Meysey Thompson.*

2419. The only difficulty is I cannot put in such evidence unless I ask the question of some one in cross-examination. (To the *Witness.*) Have you gone into the details of the work within this outside portion of the Kent Company's district?—No, I could not do that.

2420. You have not?—No, it would be impossible for me to do such a thing as that.

2421. You said the other day, in answer to Mr. Freeman, that there would be an immense difficulty from an engineering point of view in the central authority whatever it might be selling off the parts of the undertaking which were in the outside district?—I instanced that in the case of two companies.

2422. The only company I am interested in is the Kent Company?—It applies to Kent equally, but I must go into details if you want to know.

2423. I am afraid I must ask you to go into details?—I am afraid I cannot give you the information with regard to Kent, because it is a very complicated county. I can give you Rickmansworth.

2424. I do not care anything about Rickmansworth?—Take the Grand Junction Company.

2425. I do not care about them; they are of no importance to me; I want you to deal with my particular point as to the Kent Company.

Chairman.] As it affects Beckenham?

Mr. *Meysey Thompson.*] Yes.

Witness.] I am unfortunately not in possession of information as to that company, therefore I can only give it to you very crudely.

Mr. *Meysey Thompson.*] The witness has stated to the Committee that it is practically impossible. Now, I ask him, as regards the Kent Company, does he pledge himself to that. If he will withdraw that, I will not ask him another question.

Witness.] I think, with the Kent Company, the difficulties are as great as they are with anybody else.

2426. Then you adhere to that?—What do you want me to withdraw? I do not quite see what you want me to withdraw.

2427. That the idea is ridiculous?—That the idea of supplying separate districts is ridiculous?

2428. No; I will tell you exactly what we propose, that the outside local authorities should be empowered to purchase so much of the Kent Company's undertaking as is within their district,

Mr. *Meysey Thompson*—continued.

and will not in any way interfere with the Water Trust or local authority, whichever it may be, which is supplying London, in taking as much water as they require for that supply?—I will just give you an idea of what the Kent Company is doing. The only way I can answer that is by going into what they are doing. You have your pumping stations at Orpington, at Crayford, then you have a reservoir at Chiselhurst, and you have other reservoirs and pumping stations further up at Shooter's Hill, again at Greenwich Park, again at New Cross, and another one at Deptford. All those are inter-connected with meters and pipes.

2429. It is easily disconnected? — Easily; there are miles of streets ramifying in every direction.

2430. What is the difficulty in taking a principal main in the metropolitan area and selling all the distributing mains outside to the metropolitan local authority?—I can only say this, that you might take this watch and say there is no difficulty in cutting it in half and giving half to one and half to another; but you spoil the watch, and that is exactly the case. It is one machine.

2431. Do you represent to the Committee that it has not been done in dozens of cases all over the country?—It has been done in the cases of Richmond and Croydon, where there are outlying districts, got out by a few separate pipes; but this is actually part of the body. You can cut off your hand without hurting your body, but if you took out your lungs it is a different thing; this is the lungs.

2432. Taks the case of Birmingham? — But there are all sorts of companies outside Birmingham.

2433. Do you not know that there what the outside authorities were entitled to was so much of the distributing mains within their district but that they were not entitled to take any works which were necessary for supply within the area? —But that must entirely depend on the plan of the place and of the actual district. For instance, if you said to me "Could you take Wimbledon——"

2434. Do not let us go away from my point; you say it can be done in certain cases, but you have not said the circumstances of this case?—Kent speaks for itself; you do not want an engineer to tell you that. You have all these pumping stations, reservoirs, filter beds, and all the district supplied from a variety of pipes, and you are going to sever that by an arbitrary line.

2435. Do you know whether there is a single gallon of water supplied to Dartford from the metropolitan area?—I suppose not.

2436. Then what doos it matter if none of the water is used for the metropolitan area whether or not you cut it off?—But these reservoirs are all of different pressures; they give different levels, and you very often have pipes in the same district coming from a long way off because you have a great pressure in the one main, and no pressure in the other.

2437. Do you mean to say an agreement could not be come to between the metropolitan authorities and the outside authorities, under

Mr. *Meysey Thompson*—continued.

which a fair division could be made, or if any agreement could not be come to, that it could not be settled by an arbitrator on reasonable terms?—Distinctly it could be done, if you chose to buy it. It would be enormously costly, and frightfully expensive. It is the money that is the difficulty.

Cross-examined by *Mr. Sidney Holland.*

2438. Will you tell me what members of what I will call Mr. Wilkin's committee you consulted before you were retained?—I had never been near them; I did not know one of them; I did know one gentleman and I think only one.

2439. Had you ever talked to him about your Rickmansworth Company?—I do not remember that I ever had; the Rickmansworth Company has been advertised; I think about a thousand pounds was spent in advertising it.

2440. Advertising it for sale?—No, for shares; I think everything was done by Sir Henry Knight to advertise it.

2441. But Mr. Wilkins said it was in the minds of two members of the committee to purchase the Rickmansworth Company; I ask you did you see either of those two members?—No: I am responsible entirely for that, absolutely; I should say this: The first time they sent for me I told them I felt one of the most pressing things connected with the future of London was the supplemental supply, and then I suggested what it was, and I also did the same by the Corporation of London; I sent them copies of these Acts.

2442. The reason I ask you is that there was a memorandum issued by Mr. Wilkins as late as November, in which he sets out "outside sources of supply," but Rickmansworth is not mentioned, though your friend Webster is mentioned?—Webster joins us.

2443. But you have told the Committee that Webster is really ill-advised, that his water supply is not a permanent supply?—He is not under Parliamentary authority; he is a private gentleman.

Mr. *Bristowe.*] He pumps the river.

Mr. *Sidney Holland.*

2444. He pumps the river, and is ill-advised, and cannot supply as much as he thinks he can. (To the *Witness.*) Yet as late as November, when the committee had the advantage of your advice, they put in Webster's as an otside source of supply?—And I will tell you why. Mr. Webster went before the Corporation of London committee and gave evidence at the Guildhall, at his evidence is printed at full length. Mr. Webster's engineer, Mr. Monkton, also went before them. It was through the evidence he gave before the Guildhall committee that his name was brought forward.

2445. Yes; but unfortunately yours is not?—I know, because they did not know of us; they did not know of this Act of Parliament.

2446. I beg your pardon, you told me that you were ratained; that you advised that Rickmansworth should be taken as early as October?—No.

Mr. *Sidney Holland*—continued.

2447. Answer 745 is the number of your answer to that effect?—Then they ignored me.

2448. It does not seem within the realms of human probability that two members should think of taking the Rickmansworth Company unless it had been suggested by Mr. Grover, the engineer and secretary of the company?—I am not secretary.

2449. You answer all the letters.

Chairman.] I understand the witness says he is entirely responsible for the suggestion that the Rickmansworth Company should be purchased.

Witness.] Entirely; and my own company knew nothing about it. I took these Acts of Parliament, showed them to them, and I was absolutely responsible, and nobody else.

Mr. *Sidney Holland.*

2449*. May I ask for the Report on the Rickmansworth Act which you furnished?—I furnished no report at all.

Mr. *Sidney Holland.*] Mr. Rickards promised it to me. I asked Mr. Wilkins for it, and I was told I should have it when Mr. Grover was called.

Mr. *Rickards.*] I never promised anything of the kind. The only printed report I know of is the paper which was read by Mr. Grover to the Institute of Civil Engineers in 1887.

Mr. *Sidney Holland.*] You snubbed me very much when I asked for the report; you told me Mr. Grover was going to be called, and I said "Never mind, let us get as much as we can from one; I want the report."

Witness.] There was no report whatsoever. The only report I made was a verbal report. I drew up a proof of evidence; I do not know whether you mean that?

Mr. *Sidney Holland.*] That will do.

Mr. *Rickards.*] We have had the proof of evidence put in in evidence.

Mr. *Sidney Holland.*] At any rate I am not to have it then?

Witness.] There is no such document. I would give it to you if there were.

2450. You told us to-day that when you went to Parliament in 1884 and 1885 you had no idea of the quantity of water at Rickmansworth?—I had not an idea that there was such a quantity as there was.

2451. Your ideas have grown?—Yes, since the well was sunk and tested.

2452. Will you turn to your answer 1450 on page 80. You will see that you said there that these Acts were passed with the view of the coming needs of London?—Yes.

2453. May I ask you which of those two answers you will favour us to-day by withdrawing?—We took powers to supply anybody outside.

2474. We will come to that in a minute. Was it or was it not in the minds of the Committee that those Acts were to be passed in view of the coming needs of London?—They were passed in view of the coming needs of the neighbourhood.

2455. Of Rickmansworth?—Of Rickmansworth, yes, and the outside area. You see in the Rickmansworth Bill we do not touch London.

2456. No,

Mr. *Sidney Holland*—continued.

2456. No, and I hope you never will. Then you withdraw the answer that you made to Question 1450 when you said those Bills were passed in the view of the coming needs of London?—The coming needs of the suburbs of London certainly. It is difficult to say where London begins and ends. You see we are close on London all round there.

2457. Turn to Answer 1562?—Yes.

2458. There you see you actually said that when the Bills were passed it was a local Act you were asking for?—Entirely; they were both local Acts; but we always, in going for local Acts, have an idea things may grow. The experience of all these water companies is that they become enormously increased.

2459. We will take it that when you passed your Act, though you said it was only a local Act, and it was never suggested to Parliament you were coming to London, you yourself thought you were coming to London some day?—No; when the Rickmansworth Act of 1884 was passed there was no idea of assisting the metropolis at all. When we got the extension the next year, and came within 11 miles of Hyde Park Corner, which we do, then of course the question of London began to shape itself.

2460. It was the following year you got leave to extend?—Yes; from Rickmansworth parish right down to Southall.

2461. Had you opposed a Bill to do that in 1884?—We had opposed a Bill promoted by other parties, and the reason we did it was this: I can give the reason if you like.

2462. No; I do not care to know the reason; if you had the idea of coming to London, will you tell me why you had such a small capital as 76,000 *l.*?—Because out of that capital no intention was entertained of spending one single sixpence for the London project. That was purely for local purposes.

2263. But you have not been able to issue that capital?—I beg your pardon; that capital is not only issued, but there is a large sum of money lying at the bank we do not know what to do with.

2264. In that sense you were scheduled as a London company, or as one of those to be bought up by London?—I beg your pardon. We had more money than we knew what to do with, but the chairman said the whole capital was not required, and then this question of London was put in. But, remember, that question of London was put before the shareholders three years ago. I will read it, if you like. This is the original prospectus, "There is every possibility."

2265. It did not take, then?—I beg your pardon, it did take. The whole of the money wanted was subscribed at the time, and more money was subscribed, and money has always been coming in.

2266. Then it did take; it took in the people who subscribed, because you are not in London yet?—You had better hear what is said; here is the allusion to it.

2267. We will go to another point now if you please. In your answer to Question 1468, you say the reason you suggested the Rickmansworth Company was that it was the nearest, that both the Rickmansworth and the Leatherhead undertakings were the nearest and the only ones at present near London?—That is quite right.

Mr. *Sidney Holland*—continued.

2268. May I ask you whether that is a fact; we will take the nearest first?—Leatherhead is nearer than Rickmansworth.

2269. Dont let us mix those two up; what I ask you is is the Rickmansworth Company the nearest to London, leaving out Leatherhead, because Leatherhead is one of your children; is Rickmansworth the nearest company to London?—Next to Leatherhead the nearest with any water to spare.

2470. To spare; you have not got much to spare yet you know; but about the South West Suburban?—They have not any water at all except what they draw from the River Thames at the intake at Staines.

2471. And what about the Central Middlesex?—We are now supplying the Central Middlesex for Lord Hillington. They have not a supply for him.

2472. You know Lord Hillingdon has a very small supply, and you have engaged on private terms to supply him, but you cannot pretend that the Central Middlesex are not supplying that district?—The Central Middlesex are supplying a very small proportion of the district which lies at Harrow-on-the-Hill. It is a very small company, and they have a very small supply.

2473. It is as big as yours?—I am glad to hear it.

2474. What about the Colne Valley?—They have very little water to spare indeed.

2475. They have as much as you have got?—No, I beg your pardon.

2476. At any rate taking the first word "nearest" you are inaccurate as to three companies?—No, those three companies have not water enough to spare for their own districts.

2477. That may be on a question of water very natural or obvious, but as to the nearest you are wrong, are you not?—The Colne Valley Water Company cannot supply outside its district. There are other companies besides, nearer than that, but it is not possible to get a supply from them.

2478. However, I will leave the matter?—My statement is perfectly correct.

2479. Then I will go to the Grays water supply?—It is a long way off. Why not keep nearer?

2480. I prefer to keep to Grays; is there any obvious reason why the water should not be taken from Grays, as the Duke of Richmond's Committee suggested?—No; there is no objection at all. There is the South Essex Water Company there.

2481. There are no places, like Watford and Uxbridge, which might be deprived of its water if you take the water from there?—We cannot deprive them of water, because we are six miles below it.

2482. Then there is every reason, then, why you should?—I thought water flowed down hill, not up hill.

2483. Water runs up hill, according to you, sometimes?—Under pressure in a pipe sometimes; not in the river. Surely we are not going to waste our time by arguing that the river

Mr. *Sidney Holland*—continued.

river is going to be affected by Rickmansworth?

2484. Yes; I do say so?—Not a bit. If you were to pump the whole river dry, you could not affect Rickmansworth. You know better than that. Pray do not throw such a thing as that at the Committee.

2485. Have you made any inquiry at all as to the injury that might be done to the local districts?—Yes.

2486. You did?—Yes.

2487. Who did you inquire of?—I inquired by my own observations.

2488. But you did not inquire of the people who thought they would be likely to be injured?—I can give you, if you like, the inquiry of our nearest neighbour.

2489. Is that Watford?—No. How far is Watford from us?

2490. I think you ought to know if you have made the inquiries. Does not the Watford district touch you exactly?—Yes; it does. We are close to it. At the beginning of the word "W," on the cartoon, is our boundary.

2491. Your boundary joins the Watford boundary?—It does.

2492. Then you are not five miles off them?—Our pumping station is.

2493. It does not follow your pumping station will be always where it is now, does it?—We shall not go above that, you may be sure of that; we shall keep Rickmansworth below it.

2494. Did you consult the Rickmansworth Board of Guardians or the sanitary authority of Rickmansworth upon this matter?—On this proceeding?

2495. Yes?—We got our Act in the year 1884.

2496. I am speaking of the present proceedings to schedule it as one of the companies to supply London. Did you ever send any notice to the Rickmansworth people of those proceedings?—Why should we? Rickmansworth is absolutely protected.

2497. That is not an answer at all, is it. Did you send any notice to the Guardians of Watford, who are the sanitary authorities of the Rickmansworth district; Mr. Wilkins says yes?—It is not in my province to say. Anyhow we did not see that we need do so; we have an Act of Parliament, and we act under it. We have a charter.

2498. Did you send any notice to the Uxbridge people?—Surely you do not mean to say we are going to hurt Uxbridge?

2499. You say, when I ask you about Watford. "You do not think we are going to hurt Watford, because it is above us," and when I ask you about Uxbridge you say, "Surely we are not going to hurt Uxbridge, because it is below us"?—I have taken a little trouble within the last few days to get at a few facts, and I do not know whether I may give you those facts.

2500. Are they substantial facts?—You may check them yourself; you might check them for half a-crown.

2501. Is it only within the last few days you have got those facts?—I did it because Mr. Balfour Browne the other day asked questions which seemed so very extraordinary that I was afraid they might mislead the Committee.

Mr. *Sidney Holland*—continued.

2502. They surprised you, did they?—They did, and it takes a good deal to do that. I will just show the Committee a photograph of the works themselves.

Mr. *Lawson.*

2503. What does this photograph show?—I want to show what happens to the works close to it.

Mr. *Sidney Holland.*

2504. It is a photograph of your child, the Rickmansworth Company, is it?—This is a photograph of the pumping station.

2505. What is the size of that pumping station; it is a paltry little thing, is it not?—No, it is a very fair station; it is 90 feet long, and about 40 feet wide. Why I show it to the Committee is this: that there is a cottage close by which has a well; that well is within 50 yards of our well where we are pumping. To show the utterly absolute bogus this is, and the way in which dust is being thrown, I have taken this well, and shown the result of our pumping on this well. I have had a series of observations taken by the manager of the gas company on the 15th and 23rd May, and I find that after we have pumped seven and a half hours and lowered the water six feet in our well, we have not reduced the level of that water one inch.

2506. That surprises you, does it not?—It does.

2507. I remember you said the other day when you were digging a well at Nash Mills you were afraid it would be emptied?—I was very much astonished.

2508. Then is your whole experience upset by the fact which you have mentioned?—Not at all.

2509. Does that alter the experience of your whole life?—No, but what did astonish me very much was that you gentlemen five or six miles off should be making all this fuss when a well within 50 yards is not affected.

Mr. *Lawson.*

2510. What sort of a well is it?—It is an ordinary draw well, a brick well and if there was any truth in the suggestion of these gentlemen that well would immediately began to show signs of depression.

Mr. *Sidney Holland.*

2511. Not at all?—Certainly.

Mr. *Bristowe.*

2512. Did you notice how soon the well from which you extracted the water filled up to the ordinary level?—Yes, it rushes up instantly; it rises in about seven minutes.

2513. Then you only put it down as 6 feet in a few minutes?—No; the number of hours pumping was 7½ hours.

2514. Then directly you leave off pumping it fills up again?—Quite so. But it does not take any effect on this well within 50 yards. I will give you the name of the tenant of the cottage.

It

Mr. *Bristowe*—continued.

It is the name of "Saunders." That proves we do not interfere with the surface water at all.

Mr. *Lawson.*

2515. But it is a lined well?—Yes. But these gentlemen make out we got behind the lining. There is no doubt that wells are badly made and that surface water does work down at the back of the lining. As you pump the water out of the well it works down at the back.

Mr. *Sidney Holland.*

2516. Surely your experience after all this number of years is that in pumping some wells near other wells you empty them, and with other wells it does not affect them at all?—No doubt in gravel.

2517. And in chalk?—And in chalk; yes.

2518. It is common experience; you do not want to be a barrister to know that?—Not if the wells are properly lined.

2519. You know what happened in Sir William Cubbitt's experiment in the Dickinson case. do you not?—Yes.

2520. Do you know that those wells are properly lined, and the one that was lined emptied the river?—I do not know it and I should not believe it if I did.

2521. You led the Committee to think from your answer, No. 1445, did you not, that Stephenson's well was made in the Rickmansworth district?—It was made at Watford.

2522. You argue that because Stephenson, in the year 1840, discovered a lot of water at Watford, therefore that water is available now; in Stephenson's time, was Watford the populous district it is now?—No; certainly not.

2523. In answer to Question 1593, you said there was a great deal too much water: "In the Valley of the Colne it is all w at r'?—As a rule there is a great deal of water there, a very large quantity of water. That is the fact.

2524. May I ask you, is there too much water?—Well, in the Valley itself, there is a superabundance of water, no doubt.

2525. Have you made any inquiry at all as to the condition of the water at Watford, and as to quantity?—Watford is a long way above us.

2526. It is in the Valley of the Colne?—It is miles above us; we cannot get up there, whatever we do.

2527. Have you made any inquiries as to the condition of the River Colne itself and the wells at Watford?—No; but we do not go near Watford, we are miles below.

2528. Is it a fact that the pumping round Watford has enormously increased of late?—Enormously, because the Colne Valley Water Company are supplying Harrow and Pinner. They are supplying right down to our border at Northalt, and Edgware they supply.

2522. Is it not a fact that the London and North Western Railway have a large pumping station just below Watford?—Yes, and the local board as well, and with all that we have that quantity of water at Rickmansworth; you might tap us, but we cannot tap you.

2530. And is not a fact that the Colne is lower

Mr. *Sidney Holland*—continued.

every year by two or three inches?—Well, you have a number of places above, and you have St. Alban's as well drawing.

2531. Do you know as a fact that it is lower every year?—I do not think it is much lower. My observations go to show during the last five years that it has not lowered at all.

2532. I wonder if you will take the trouble to inquire into that?—I have my observations, and I find there is no lowering at all.

2533. Will you pledge your professional reputation to that?—I cannot find any practical difference between the two levels; of course it varies a little, but there is nothing substantial.

2534. I hope that answer will never be forgotten?—That is my experience over five years. I have five years' observations.

2535. One more question as to Uxbridge. Supposing that you do take all the water away from Uxbridge, what are they to do?—That is an extraordinary proposition; round Uxbridge there is a perfect flood of water.

2536. Taking such a ridiculous supposition, and supposing you do, what is Uxbridge to do?—You might as well say supposing there is an earthquake.

2537. I should not be at all surprised at that; there have been earthquakes in England?—There was one in Essex, I know. To begin with, Uxbridge is absolutely protected by our agreement.

2538. Let us come to that agreement. Your agreement is to supply them, if you please, at 18 *d.* per thousand gallons?—Yes. But apart from that, my board offered to lay down fresh pipes, and to supply a part of Uxbridge. As a fact, we pass through Uxbridge with our main. Our main passes right through the district of Uxbridge.

2539. A part of it; not right through?—I will give you the piece it passes through. It passes through *there* (*pointing on the map*).

2540. And you offered to supply them?—We offered to supply them at our rates.

2541. But they do not believe in you, and supply themselves very comfortably?—Not very comfortably.

2542. You know that the Local Government Board have insisted on their having a constant supply?—They have; the Local Government Board have held an inquiry, and the result is that they are to have a constant supply. The supply for Uxbridge has been very unsatisfactory.

2543. You know as it is now that the Water Trust which is suggested would have no power to supply Uxbridge?—Assuming it to take over this Rickmansworth Company it would stand in the position of the Rickmansworth Company.

2544. At 1 *s.* 6 *d.* a thousand gallons?—No; we have that agreement; but apart from that last year the Board were to supply Uxbridge on the Parliamentary terms, the same as it has to supply all the rest of the district.

2545. And the local authority refused it?—And the local authority refused it.

2546. Because you were not even supplying your own people, and they were?—But we are supplying them now.

2547. You are supplying 400 of them?—No,

Mr. *Sidney Holland*—continued.

we are putting them on fast now. Uxbridge has no pressure. The reservoir is too low.

2548. They are quite contented with it?—I do not think they are. The Local Government Board are not anyhow; they are very discontented.

Cross-examined by Mr. *Rickards.*

2549. Do you propose to supply the outlying districts beyond West Ham; you know the borough of West Ham and East Ham, do you not?—I do not know very much of it.

2550. You cannot speak as to that area?—You would be simply in the position if this Trust were formed that you are with the water companies. This Trust simply takes the water company's place. There would not be the slightest difficulty as I understand.

2551. Did I understand your answer to Mr. Worsley Taylor that it would be impossible to sever those districts that were over the Essex boundary?—It would be exceeding difficult to sever those long boundaries.

2552. You know at present that that district is principally supplied by the East London Water Company?—I believe it is.

2553. Do you think it would be impossible to keep the Essex supply under the control of the Essex local authorities in Essex?—It would be as difficult as it is in the case of Kent; you would have to sever each connecting point.

2554. You say it would be difficult, do you say it would be impossible?—Nothing is impossible if you spend money enough, but it would be very difficult to do it within any financial terms.

2555. Why the financial difficulty, the financial difficulty would be to include not to exclude?—But you are going to disintegrate; the object of this Bill is to unify.

2556. I ask you whether in your scheme you could not leave out those districts in the county of Essex?—I am afraid I cannot answer that without a more detailed map; I will not say you could not do it.

2557. You only think it is a financial difficulty; may I take that as your answer?—I can conceive everything is a financial difficulty. Of course you can do anything if you can get money enough.

2558. Do you mean to say this, that if the local authorities want to retain the control in their own hands you see financial difficulties to that being granted?—I see graat expense involved in it.

2559. For them not for you?—For anybody.

Chairman.] What other evidence do you intend to offer, Mr. Rickards. Can you give the Committee any idea?

Mr. *Rickards.*] I have only one other witness to call on the financial part of the Bill?

Chairman.] You have no other engineering evidence?

Mr. *Rickards.*] No other engineering evidence, except that I shall ask leave to refer to the Reports of the Duke of Richmond's Committee and Sir William Harcourt's Committee, and to certain other Reports; the Local Government Board Report and Sir Francis Bolton's book on the London water supply, which you will remember I alluded to in opening.

Mr. *Pembroke Stephens.*] Might I point out that any public documents or previous commissions, or anything of the sort, could hardly be evidence with regard to this Bill.

Mr. *Rickards.*] I am perfectly aware of that. Of course in one sense they do not refer to the Bill, but they deal with an enormous lot of questions which have been dealt with by Mr. Grover in evidence, and corroborate him most materially.

Mr. *Pembroke Stephens.*] I cannot agree with that.

Mr. *Rickards.*] If you like to put it the other way that he corroborates them, I am content, but I mean to say they are *ad idém*, and I am afraid I shall have to go into them at some little length.

Chairman.] We shall be able to see, perhaps, what we can do after we have heard the other evidence you have to produce; before you can refer to these Reports we shall consider what limit we shall put upon you, if any.

Mr. *Rickards.*] If you please, Sir. I do not propose to read to you for hours from these Reports, but most of them contain summaries.

Chairman.] We have all read a good deal of those things.

Mr. *Rickards.*] I am sure you have, Sir, and therefore I will take them very shortly. I am quite content to refer to the pages if necessary. If the Committee are seized of the facts that are set out in those Reports that I refer to, I hope you will stop me at once, but in some cases, such questions as the consolidation of the whole undertakings which I have not dealt with in evidence, because I took it for granted that the economy of administration was taken as proved. I shall have to refer to them.

Chairman.] Certainly.

Mr. *Rickards.*] Then as regards such questions as providing independent supply, I have taken it for granted (although I could have given evidence upon it) that the difficulties and expense of laying additional mains are so great as to render it practically out of the question. In fact, I have taken it for granted, and as proved that it will be necessary for the water authority, whatever it be, to buy the undertakings of the companies, and there are several questions connected with that. There are such questions as the present administration of the water companies which have been cross-examined to, but I shall not go into that. It is part of my case that the water companies on the whole do very well, and that their sources of supply are, if properly supplemented, adequate, and so forth; but on certain points, such as pumping from this natural reservoir of chalk and these particular sites at Rickmansworth, I shall venture to refer to the evidence given before Sir William Harcourt's Committee, and to the Report of the Duke of Richmond's Committee.

Chairman.]

Chairman.] There will be a question of how far it is evidence. You have to produce evidence to show that the auxiliary supply you recommend in your particular Bill is what the Committee should recommend?

Mr. *Rickards.*] Exactly.

Chaitman.] And I do not see how the Statement of those Commissions will be evidence; but however the Committee will be prepared to consider it fairly.

Mr. *Rickards.*] You will of course stop me if you consider they are not relevant, but I venture to think there are passages which are relevant, and I shall in re-examination of this witness refer at greater length to Mr. Stevenson's report. We are in this position; all the water experts of eminence who are conversant with the supply of water from and round London are already retained for the water companies, and we cannot avail ourselves of their evidence except by cross-examination, and that is the reason we have not called other engineers. We could have called engineers, but they are not engineers who have dealt with this particular question of the supply of London. The engineers are already retained by the water companies, but we have a considerable amount of documentary evidence practically in support of Mr. Grover's proposition.

Chairman.] We will consider before to-morrow how far it will be admissible.

Mr. *Pembroke Stephens.*] Might I suggest there is a clear distinction between any report or any expression of an authority, or a Parliamentary Committee and the evidence of witnesses. The individual opinion of witnesses who might have been examined before a committee or some other body, stands in a totally different category. A witness, for all we know, might have changed his opinions by the light of matters that have occurred in the meantime. At all events it would lead to what is certainly the most unsatisfactory course of procedure one knows, and that is a kind of irregular cross-examination of a documentary witness, so to speak. Besides that I will also suggest, as you have promised to take the matter into consideration, that there is this further objection to the course my learned friend is taking. It was competent for him in his original speech, or it might be in his reply, if it arose out of the proceedings, to read or emphasise any passage in a document he refers to, but in the middle of his case after having made his opening speech and called such evidence as he thought proper to tender, to read passages from the evidence of a number of people he has not called is a procedure which is unsatisfactory.

Mr. *Rickards.*] The two witnesses to whose evidence I shall very shortly call your attention, Sir, before Sir William Harcourt's Committee, are Mr. Smith and Colonel Sir Francis Bolton, the late Water Examiner, both of whom, for obvious reasons, I cannot call. Then, in addition to that, I propose to refer to text books, and the text book I shall very shortly refer to is Bolton's London Water Supply, which is an acknowledged authority on the subject, and the Report of the Local Government Board, and, if necessary, I shall ask for a Speaker's Order for the attendance of General Scott, the present Water Examiner.

Chairman.] I think it is very improper that an official witness should be called in support of any Bill. If any official evidence is necessary I think the Committee should be the persons to summon him. You cannot disassociate yourself from the position which you occupy as counsel for the promoters of this Bill. I admit the difficulties of the position, but you cannot disassociate yourself from it.

Mr. *Rickards.*] If I did ask for such an order it would not be to call General Scott in support of this Bill, but in support of the propositions and theories that have been put forward by Mr. Grover which are borne out very largely by his report to the Local Government Board.

Chairman.] It is the same thing. You have a Bill before the Committee and you produce certain evidence; if you call any witness and ask him any questions at the table it must be in support of your particular Bill.

Mr. *Rickards.*] It is in a way in support I admit.

Chairman.] Certainly.

Mr. *Rickards.*] But I should not put the question to him whether he considered the present Bill ought to be passed or anything of that sort.

Mr. *Pembroke Stephens.*] That is the only issue we have to try.

Mr. *Gerald Fitzgerald.*] With respect to the evidence before Sir William Harcourt's Committee I would say it is no evidence in the ordinary sense of the term, because there was no cross-examination whatever of the witnesses who were examined in chief before that Committee.

Mr. *Lawson.*] There were no counsel, were there?

Mr. *Rickards.*] Yes, there were counsel, Sir.

Chairman.] My impression is it would not be a desirable precedent to allow the evidence to be put in, but I should like to consider it before to-morrow with my colleagues.

Mr. *Richards.*] May I say, Sir, this, that I take it the Committee have followed one of the paragraphs in the report of Sir William Harcourt's Committee in deciding that they will not go behind the paragraph which states it is desirable that a separate water authority should be constituted.

Chairman.] That is so.

Mr. *Rickards.*] And I have carefully avoided asking any questions about that. I take it that that technically allows me to refer to the report and to the evidence in support upon which that report is founded.

Chairman.] I think you are entitled, as the learned counsel has just said, either in opening or

reply, to allude to any passage of importance and value given before any Committee of this House, which you think substantial, and makes out your case; but it is a very different thing to put it in as evidence.

Mr. *Rickards.*] Very well, Sir, I will deal with it in reply, if necessary.

Chairman.] I think as the witness has been a long time in the Chair, and we have been sitting nearly four hours, the Committee will adjourn till to-morrow; and I hope you will be able to make the re-examination as short as you can.

Friday, 29*th May* 1891.

MEMBERS PRESENT:

Mr. Bristowe.
Mr. Lawson.
Mr. Murdoch.
Sir Matthew White Ridley.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Chairman.] THE Committee are not a quorum, but if there is no objection we are ready to go on. One or two of the Committee are necessarily late this morning. If there is no objection on the part of anybody we will not wait for them.

Mr. *Pember.*] There is no objection on our part, Sir.

Mr. *Rickards.*] I shall be very happy to go on.

MR. JOHN WILLIAM GROVER, re-called; and further Examined, as follows:

Mr. *Rickards.*

2560. YOU read your paper to the Institute of Civil Engineers in 1887?—Yes.

2561. And with regard to the figures of the amounts of water to be obtained from Rickmansworth at that time, you were not in possession of the facts that you have subsequently obtained by actual pumping at Rickmansworth?—I was not.

2562. You have nothing to gain, as we have heard before, by the passing of this Bill?—I have everything to lose by it.

2563. You have everything to lose by it?—I have, because I shall no longer act for those companies, it is perfectly certain.

2564. You are *functus officio* in respect of both the companies, and you cannot possibly tell what will happen when a water authority is constituted?—If these companies exist they will employ me; if they do not exist they certainly will not employ me.

2565. Before I pass from that, you have nothing to gain; but having studied this subject for a great number of years you are of opinion that this Bill, if passed, including the addition of these two supplemental supplies, will be of immense benefit to London as a whole?—Of immense benefit. There will have been no greater benefit since the New River was passed.

2566. Now with regard to the effect of pumping upon surface water; you have made an actual experiment, as you explained to the Committee yesterday, in the case of a cottage well within 50 yards of the Rickmansworth works?—I have.

2567. And after pumping seven and a-half hours you found that the cottage well was unaffected?—It was unaffected

2568. That is a surface well, as I understand?—Yes, that is a surface well.

2569. And your well at Rickmansworth is a deep-water well, a deep strata well?—It is a deep-water well. The two wells are within 50 yards of each other.

Mr. *Rickards*—continued.

2570. And the only way in which you think sinking a large well affects the surface water near, the well being watertight, is by a slight waste of water that trickles down the outside of the well itself?—That is so.

2571. Producing a very small cone of exhaustion?—That is so.

2572. With regard to the amount of water that you can obtain from Rickmansworth, the water-shed area of the Rickmansworth Company is 234 square miles, is it not?—That it so.

2573. And upon that water area there is a fall of 26 inches of rain?—Twenty-five to 26 inches; 26 inches I believe it is.

2574. You ascertain that, do you, from the Local Government Board Reports?—Yes, that is generally given and generally taken.

2575. In order to clear up any question about the amount of water available at Rickmansworth, is it a formula that one inch of rain on a square mile produces 40,000 gallons of water?—Very nearly, yes.

2576. Just about. Therefore 26 inches will produce 26 times 40,000 gallons, which is about 1,000,000 gallons?—A little over a million gallons.

2577. A little over a million gallons?—That is so.

2578. Therefore over 234 square miles of water-shed you will get 234,000,000 gallons a day?—That is so.

2579. Now, I think you produce?——

Mr. *Bristowe.*] Not a day, is it; per inch, is it not?

Witness.] Oh, yes; he is right, Sir; that is so.

Mr. *Rickards.*] Taking it over the 234 square miles, it is arrived at in this way: the watershed area of Rickmansworth is 234 square miles. Each inch of rainfall on one square mile produces 40,000 gallons.

Witness.] Nearly, per day.

Mr. *Rickards.*] Per day; 26 inches, which is is the rainfall——

Mr. *Bristowe,*] Oh; "per day;" it produces that?

Mr. *Rickards.*] Yes, per day; 26 inches, which is the total rainfall, will produce about a million gallons a day on each square mile; 234 square miles will therefore produce 234,000,000 gallons a day.

Chairman.] You do not expect 26 inches of rainfall per day?

Mr. *Rickards.*] No; that is quite true. That is the total fall in the year.

Chairman.] I see.

Mr. *Rickards.*] And as one inch on a square mile produces, per day, one inch of rainfall in the year, mind you——

Mr. *Bristowe.*] Oh; in the year.

Mr. *Pember.*] Oh, "in the year."

Mr. *Rickards.*

2580. (To the *Witness.*) One inch in the year produces on one square mile in the day 40,000 gallons?—Nearly.

2581. Twenty-six inches will produce about a million gallons on one square mile?—That is right.

2582. Therefore it is 234,000,000 gallons on 234 square miles?—Yes.

2583. That is per day. Of that you propose to take 20,000,000 gallons per day; less than a tenth of the whole; is that so?—That is right; that is to say, of the 26 inches I propose to take a little over two and a-quarter inches.

2584. That is rather less than a tenth?—That is so; that is 20,000,000 gallons, roughly.

2585. Besides that you have actually tested, have you not, the amount of water that you can pump at Rickmansworth itself?—I have.

2586. Would you very shortly, for I do not want to weary the Committee, give me the result of that pumping, and show how you arrive at it?—Yes, I will. The actual result of it all was this. that I find that every well produces in the chalk so much per inch of its diameter, the same as boring a hole into a beer barrel with a gimlet; the size of the gimlet regulates the quantity of water that comes out; and I find that you get 5,000,000 gallons a day both there and also in the chalk at Leatherhead. If the well is 300 feet deep the well must be 32 inches diameter. If the well is 200 feet deep I find it must be 39 inches diameter. I am able to get the absolute *formula* which tells me exactly what it is. I will explain these experiments to the Chairman.

2587. Yes, explain that diagram to the chairman. (*The Witness explained the diagram to the Committee.*)

2588. Now tell me if I am right. Taking your well at Rickmansworth, the water stands at six feet below the surface of the soil ordinarily?—In the case of these experiments, I have at seven feet *here.*

2589. Seven feet; that will do. I beg your pardon?—Seven feet, the river being 10 feet, nearly 3 feet lower.

Mr. *Bristowe.*] The bottom of the river?

Witness.] No, the top of the river?

Mr. *Rickards.*

2590. The water level of the well is therefore nearly 3 feet abeve that of the river?—It is nearly 3 feet above the river.

2591. You commence to pump, and at first, going down, what do you find?—We take an hour.

2592. How much?—Take the first hour.

2593. Take the first hour: What is the result of the first hour?—There are three experiments, but I will take one of them. The result of the yellow line is——

2594. What did the water stand at, at the end of the first hour?—The water fell from 7 feet below where we were measuring down to 15 ft. 6 in. That is to say, it fell 8 ft. 6 in. At the end of an hour we had lowered the water in the well 8 ft. 6 in.

2595. Now, at the end of the second hour?—At the end of the second hour I lowered it 9 ft. 3 in.; that is very little more you see.

2596. Then, having lowered it 9 ft. 3 in. in the well, at the end of the second hour you still continued pumping?—I did, until nearly the third hour; and I found that very little impression was made.

2597. No impression?—Yes, five inches. I could only get it five inches further down.

2598. When you had been pumping two hours and twenty minutes, am I correct in saying that the water gained upon the pump?—In one experiment it gained upon the pump. That is in the first test. It gained upon the pump.

2599. That is to say, having reduced the level of the water in the well itself, the water was rushing in to fill up the vacuum and to find its own level again, at a greater rate than you could pump it out?—Yes; the spring beat the pump.

2600. The water was finding its own level in the well faster than you could pump it out?—Yes; it was recovering.

2601. Now, continue that pumping. At the end of the third hour, how did you stand?—Taking the first set of experiments, the blue test, 15,000 gallons an hour on the 21st January 1886 (that is the first test), I find that the water had gained. At the end of the third hour the water had recovered from 18 ft. 4 in. to 17 ft. 2 in.; so it had recovered 14 inches. It drove the pump back.

2602. It had gained on the pump?—It had gained on the pump 14 inches.

2603. Continuing the third hour's pumping, during the second period of 20 minutes, there was a slight depression?—Yes.

2604. And the pumping gained on the water again?—Yes, it drove it back nine inches.

2605. Then a change occurred and again the water gained upon the pump?—That is so.

2606. There was a rise of water in the well again in spite of your pumping?—In spite of our pumping.

2607. What do you attribute that to?—It is caused in this way: that little bits of chalk and flint and things of that kind get into the fissures where you are pumping, and for the moment check the pumping; when they get clear the water rushes up again. Therefore the experience I have is this: the more you pump at the chalk water in the flints the more you get.

At

Mr. *Rickards*—continued.

At first the water comes up very thick, like cream; then it gradually gets quite clear, as you saw it in the bottle. In fact the pumping opens the adits to the wells; it clears the dirt away from the flints; the flints lying close together prevent the chalk closing up the fissure and the water gets between the flints.

2608. Have you any doubt whatever after making those experiments that you could easily obtain your 20,000,000 gallons a day at the Rickmansworth site?—I am perfectly certain I could; and not only that, but with only a a depression of 14 feet in the level of the water. Of course the further you go down the more water you get, but at the well surface I propose the water should only be lowered 14 feet, and with a 32-inch well 300 feet deep, with 14 feet lowering of the water, you can get about 5,000,000 gallons a day from one well. I find that in the Leatherhead Valley too.

2609. And it would be perfectly easy for you to increase the number and the bore of your wells, would it not?—Decidedly, and the diameter.

2610. When I say "the bore," I include the diameter?—Yes.

2611. Do you agree with Mr. Stephenson then, in his report in 1840 and 1841, that there is practically an inexhaustible supply of water in this chalk bed?—Not "inexhaustible."

2612. I will not say inexhaustible, but a very large supply indeed?—There is 40,000,000 gallons practically (that is what is reckoned) a day passing; and I think that is not at all an exaggerated amount.

2613. That is not over-stated, you thiek?—Not a bit; in fact it is under the mark.

Mr. *Pember.*] I do not think anybody denies it really.

Witness.] Forty-two million gallons, I see it is. *This* is the original report of Mr. Stephenson.

Mr. *Rickards.*

2614. Do you agree with him in this: that "an enormous natural reservoir has thus been formed, and the level up to which it may be considered as quite full of water is the lowest point where it can find a vent and overflow"?—Yes. I should say these experiments were fully confirmed by the experiments I made at a paper mills, up above where they were conducted on a very much larger scale; for the machinery I had there was able to lift one million and three quarter (one and three-quarter million) gallons a day; it was very much bigger than anything I had here.

2615. Now do you agree with this: that "those who are best acquainted with the sinking of wells throughout districts occupied by the chalk formation, concur in the opinion that it should be regarded as an enormous mass of rock saturated with water. which it yields with the utmost rapidity by the action of a very small hydrostatic pressure"?—That is the opinion now, I think, generally accepted.

Mr. *Pember.*] I think you are raising this unnecessarily. Nobody denies that there is a very large amount of water derivable from the chalk which might be made available for London; some people have put it as high as 60,000,000 gallons.

Mr. *Rickards.*] I am much obliged to you for that; but there are so many opponents to the Bill——

Mr. *Pember.*] I pledge my word that no man in his senses will say otherwise.

Mr. *Rickards.*] I do not know whether all the opponents will take the same view. I do not know whether Mr. Sidney Holland would agree with that statement.

Mr. *Pember.*] Well, as he is my junior he had better not do otherwise.

Mr. *Rickards.*

2616. Then I will not trouble you about that. Is it your opinion, after exhaustive experiments and consideration of the subject, that the pumping of deep water from deep wells does not affect surface water to a material extent?—In that situation it does not. My opinion is set forth in my little book I think.

2617. Now with regard to Rickmansworth there is no limitation whatever to the amount of water that you can sell for consumption outside your district, is there?—Except the clause that the district is to be first provided with its domestic supply.

2618. And with regard to Leatherhead there is no limitation?

Mr. *Lawson.*] Are you empowered to sell?

Mr. *Rickards.*

2619. Any amount, Sir; an unlimited amount. (To the *Witness.*) With regard to Leatherhead there is no limit except that same limit, and this: that the sale of it must take place inside your own district; you cannot put the meter outside your own district?—No, except in the case of a local authority, which you say is not a water authority.

Mr. *Pember.*] Mr. Grover was to find out and tell us to-day whether in the Leatherhead Act or the Rickmansworth Acts there was any further power of getting water. There is none, is there?

Mr. *Rickards.*] I do not think there are any more than those two Acts of 1884 and 1885.

Witness.] Everything in those two Acts, if you will kindly run your eye through them.

2620. Supplemented by the powers of the Waterworks Clauses Act, which gives you power to sink wells on your own lands?—Yes; you buy the land and sink your well anywhere; any company does that in its district.

2621. Anywhere within your own limits?—Anywhere within your own limits; that is universally applied.

2622. And upon your own land?—And upon your own land, of course. It gives you no compulsory power to buy land.

2623. I say upon your own land, and the land you agree for?—If you have not scheduled the land you cannot buy it compulsorily.

2624. That is under Section 12?—That is it.

2625. Speaking of the River Mole, do you think that the Mole will be in any way seriously affected

Mr. *Rickards*—continued.

affected by the pumping of additional water at Leatherhead from the chalk?—No. As I say, it is on the edge of the clay, and there is absolutely no possibility of its being affected.

2626. Of course, the Mole is fed by surface water mainly?—Yes, but we exclude that most rigidly. The Mole is a most foul and filthy river at Leatherhead. We are close to it, and our water is most pure and brilliant.

2627. And very nearly dry in summer, is it not?—Yes, it is a sewer practically; it is filthy.

2628. With regard to this pumping from the wells for the purpose of supplying water, that is on the increase, is it not, in the metropolis; the proportion of the whole of the water supplied to London from springs and wells is on the increase, is it not?—Oh, yes, steadily on the increase.

2629. Do you agree with the figures given by General Scott in his report to the Local Government Board, that in the last seven years the proportion has considerably increased. You will see on page 234 he says that the proportion derived from springs and wells has considerably increased, and that in the last seven years it has increased from 12·00 per cent. of the whole up to nearly 14 per cent, 13·97. in 1889?—Yes.

2630. Do you agree with that?—Yes, but that under-does it, because there are such a number of other private people doing it.

2631. And that percentage is "of the whole supply," which, as we know is largely increasing every year, the amount supplied?—It is very largely increasing.

2632. Therefore, in taking these two outside companies which derive their supply from wells, you are really carrying out the existing policy of the London water companies?—That seems to be entirely the idea.

2633. And also the policy recommended by Colonel Sir Francis Bolton in 1888, in his book on London Water Supply?—Yes, he was always advocating a supplemental supply; he made a speech at Brighton, I remember, in the same year.

2634. Do you agree with this opinion of Colonel Sir Francis Bolton which appears in the 1888 Edition of his book: He "considers that the extension of the deep well and adit system of supply within the Thames and Lee basins is much to be desired, as the water derived from the chalk by such works is of the highest quality"?—That is so.

2635. "And efforts in this direction on the part of the companies cannot but be viewed with much satisfaction:" do you agree with that?—That is so. This is the very thing we are doing. He ought to supplement that: This water which comes up through these flints requires no filtering at all, but is of uniform temperature. The moment you turn it into the river you have to filter it, and the uniform temperature (which Dr. Frankland dwells so much upon) is gone.

2636. And, of course, the absence of the necessity of filtering is a very economical thing?—It is. It is a very expensive affair, filtering water.

2637. And I think you know enough law to know this: that the law recognises no property in underground water?—That is always my understanding, and always our experience.

2638. So that you are taking no man's property, as is put before us by some people in taking it?—Underground water belongs to the man who gets it.

Mr. *Rickards*—continued.

2639. You are not stealing water from your neighbours?—No; and if I do, my neighbours remedy is to sink a deeper well than mine; not to go to law.

2640. With regard to some questions asked you about the River Lee (it is another branch of the subject), you derived the amount pumped, 59,000.000 gallons daily, from the Local Government Board Report of General Scott?—Yes, I have got it here.

2641. Page 232?—Yes, that is it; page 232, 59·6. I have given it under that; it is nearly 60.

2642. Although you have not got the flow of the Lee in the summer, it is a matter of common knowledge that the Lee is almost dry and in a very unsatisfactory condition?—It is a matter of common knowledge, and I may further say this, that I knew the late Mr. Coope very well, and in one of his addresses to his shareholders, I think as far back as 1884, he states that the Lee is practically exhausted. I can lay my hand upon the actual thing somewhere.

2643. Never mind that; I do not think you need trouble about the speech?—I have got it here.

2644. If you tell us the fact, that will be sufficient?—It is a fact. May I read Mr. Coope's own words; Mr. Coope was the chairman of the company.

2645. Which company?—The East London. The late Mr. Coope was the chairman of the East London Water Company. In his report to his shareholders on the 2nd October 1884 he says——

Mr. *Bristowe.*] He is still alive, is not he; is he dead?

Witness.] He is dead, Sir. The Mr. Coope I refer to is Mr. Coope, of Inde and Coope.

Mr. *Pember.*] Now does this arise out of the cross-examination.

Chairman.] I do not know what point this is upon, Mr. Rickards.

Mr. *Rickards.*

2646. (To the *Witness.*) Do not read it?—I ought to justify that in order to——

Mr. *Pember.*] I object.

Mr. *Rickards.*

2647. (To the *Witness.*) You had better be guided by me. I ask you this: as a matter of common knowledge, is it a fact that the Lee is drawn on in the summer to such an extent as to reduce it to a very unsatisfactory condition?—He states as chairman of the company——

Mr. *Pember.*] You were told not to read it

Mr. *Rickards.*

2648. That will do, Mr. Grover. Does that increase render it the more necessary to provide a supplemental supply?—He recommends a supplemental supply.

Mr. *Pember.*] Mr. Grover, you were told not to read that.

Witness.

Witness.] What am I to say to Mr. Pember?

Mr. *Pember.*] Say nothing?

Mr. *Rickards.*] You had a considerable innings yesterday, Mr. Pember.

Witness.] You put all sorts of things to me yesterday, and you might let me defend myself. You pitch upon me and will not let me defend myself.

Mr. *Rickards.*] I think it is your turn to-day, Mr. Grover.

Witness.] I think I might have an innings once.

Mr. *Pember.*] I do not mind having a look at it if you will hand it to me.

Mr. *Rickards.*

2649. (To the *Witness.*) Do not part with that valuable document?—I have given you the date for which I referred to it, 2nd October.

Mr. *Pember.*] No, no.

Mr. *Rickards.*

2650. Keep it to yourself, Mr. Grover. My learned friend quarrelled with the expression you used when you said that some of the pipes of the East London Company were very old: it is a fact, is it not, that many of the pipes of the water companies are very old?—Necessarily. The companies are very old themselves.

2651. And you therefore consider that arbitrators, in estimating the amount of compensation to be paid to water companies, should bear such things as that in view?—No doubt the arbitrator would take that into consideration.

2652. Only one more question about Ricksmansworth and Leatherhead: the amount of 20,000,000 gallons you have given us is the minimum that you think might be taken: I take it your view is that you might take much more?—Ny idea is that you might take much more, but I propose to begin with that.

2653. You were asked a question as to whether the companies could not acquire the undertakings of the Rickmansworth and Leatherhead companies themselves, instead of their being acquired by the Water Trust; but it is obvious that only one company could acquire each under takng, and that would interfere with your plan of unification?—Yes, it would.

2654. Which is an important element in this scheme both as regards efficiendy and economy of supply?—That is so.

2655. And economy of administration?—Yes.

2656. There is one more question which I had overlooked for the moment; that is, as to the effect of pumping in the chalk upon the level of the water in the surrounding districts. If I understand my learned friend's contention properly, it is that if you pump water from the chalk at one level you reduce it at another. As a matter of fact the water does not stand at the same level in wells at different places in the chalk, does it?—No, not at different depths.

2657. Showing that these wells derive their water from different strata of water, which you call words of water, below?—Yes; I have got here, which is perhaps more satisfactory than anything else, the actual levels at which the water does, or did, stand as we went down, at

Mr. *Rickards*—continued.

each particular depth. That will show that there was no connection between the waters. If I could lay my hand upon it that would at once show you that as we go down we find——

2658. I do not want one well. I am speaking now of a number of different wells, a number of different wells in the same chalk?—That is so.

2659. They do not stand at the same level?—They do not, and I gave Mr. Fox's evidence for Watford, where in the same yard you have two wells with water standing at a difference of level of 20 feet; that is the Colne Valley Water Company; I read you that the other day. This is a sketch which might illustrate it better than anything else (perhaps you will allow me to show you that), showing the different wells in the sinking, and the levels of the water all different.

2660. That bears out your theory, that the strata of water in the chalk are separated by impermeable beds of rock, or whatever it is?—That is so, and at Leatherhead we have within a few hundred yards of our pumping-station a spring coming up 10 feet above the level ef our spring, showing that it is absolutely impossible that there can be any connection between that and our spring. There is a difference of 10 feet in level in only a few hundred yards.

2661. With regard to the Thames Conservancy, you do not make any imputation upon the way in which the Thames Conservancy prevent the pollution of the River Thames?—No imputation.

2662. I mean to say you do not make any stggestion that the Thames Conservancy do not do their work properly?—Oh, dear me, no! Do you mean that they do not petition against Bills?

2663. No, that they do not do their work properly, that they do not "scavenge," to use that expression, efficiently?—I believe they do; I believe they do all they possibly can.

2664. The position of the Thames Conservators would be precisely the same, would it not?—It would be precisely the same, only it would be very much improved by this.

2665. My learned friend Mr. Balfour Browne quarrelled with you for sinking your well at the intersection of the chalk and the clay. He said that you were tapping the big pipes, just where they passed into the small pipes, under the clay. Do you remember that expression?—Yes.

2666. That is the very point where the water is most easily obtainable, is it not?—Yes, it is; and not only that, but what we have found is this: that the underground water follows the course of the rivers: that the river is, so to speak, the indication of the vast volume of underground water; and there is where all the flints are.

2667. You get your water at an outcrop of the chalk; the intersection of the chalk and the clay, where it is most easily obtained?—Yes.

2668. With regard to the Southwark and Vauxhall Water Company I must ask you a question or two?—Question 1467.

2669. What happened in that case was that Mr. Restler, the engineer of the Southwark and Vauxhall Water Company, came down and inspected your works?—He did.

2670. And to the best of your belief he reported

Mr. *Rickards*—continued.

to his chairman, Sir Henry Knight, and the directors?—I have got his report here.

2671. And thereupon they became directors of the Rickmansworth and Uxbridge Valley Water Company; and in their prospectus I see they state, apropos of the Rickmansworth Company: "The directors have also obtained a report from J. W. Restler, Esq., C.E., which in all particulars confirms the report of the engineer;" that is yourself?—Yes, that refers to me; that is so.

2672. And I see this also in the prospectus issued after that report of Mr. Restler's, by Sir Henry Knight and the other directors of the Rickmansworth Company: "There is every possibility at no remote period that help will be required for future London." This is the prospectus of the Rickmansworth Company?—Three years ago.

2673. "Bearing in mind that it will probably contain 7,000,000 of people at the end of this century, that it is growing at the rate of 70,000 persons a year, who must all have water: and that whilst 30 years ago the London water companies supplied about 44,000,000 gallons a day, they are now called upon for 178,000,000 gallons during the summer months, with an annually increasing demand of nearly 5,000,000 daily"?—That is very true.

2674. "The powers conferred by their Acts of Parliament enable this company," the Rickmansworth, "to supply water in bulk, outside their district; this could be done at a moderate outlay of capital, and consequent additional revenue and profit. Mr. Stephenson estimated that some 40,000,000 gallons a day passed in the chalk subterranean flow past Watford, and at this rate there would be nearly 70,000,000 at Rickmansworth." Do you consider that after that the Southwark and Vauxhall Company may fairly be said to have contemplated at some future period, taking a supply of water from the Rickmansworth Waterworks Company?—The directors of the company did, not the company itself; no.

Mr. *Bristowe.*] Two of the directors.

Witness.] These individual directors; two of the directors and the engineer, three of them.

Mr. *Rickards.*] After the report of the engineer to the Southwark and Vauxhall Company, Sir ——

Mr. *Bristowe.*] Not to the Southwark and Vauxhall Company, to Sir Henry Knight.

Mr. *Rickards.*] No, I have read it; I mean to say it is the report of the engineer of the Southwark and Vauxhall Company.

Witness.] But not as engineer.

Mr. *Bristowe.*] It is in his private capacity, not as engineer to the Southwark and Vauxhall Company. That was established yesterday.

Mr. *Rickards.*

2675. I admit that, of course; with regard to the other company, the Lambeth Waterworks Company, I believe Mr. Louttit, and Mr. Taylor, the engineer, came down to Leatherhead, saw your works, and approved of them; is that so?—Yes, that I understood was so.

2676. Now let me call your attention to this letter, a letter from the Secretary of the Lambeth Waterworks Company in these terms: "My dear Grover,—It gives me great pleasure to state that my directors were much gratified with what they saw on their recent visit to your works at Leatherhead. The abundance of beautiful spring water rising into your well, and the very large quantity flowing direct from the chalk in its immediate vicinity insure a supply that will meet any demand that can arise from your district. I do not know that we shall require to supplement the excellent supply we have from the Thames and our underground sources for many years to come, but it is satisfactory to know that your company, whose district adjoins ours, could readily afford anything we might want in case of need; at any rate I am glad to think that we have such friendly neighbours; you have a district in which building must rapidly increase, and I consider that the powers and scale of charges granted under your Act are in every way satisfactory; I have no doubt that you will soon begin to earn dividends after the works are completed, and that the company will steadily prosper. I wish you every success in the enterprise. Yours very truly, *S. H. Louttit*;" addressed "J. W. Grover, Esq., C.E.;" that is yourself?—That is me.

Mr. *Rickards*—continued.

2677. Under those circumstances do you think it fair to say that the Lambeth Company, as represented by their secretary, have it in contemplation some day to utilise the sources of supply of Leatherhead?—That is Mr. Louttit expressing himself in his own words; he did it most kindly to me, and the idea was to express at the time I believe his views about it, and I do not think he will withdraw from those views now. I do not know. He is in the room.

2678. You have been asked by the counsel for the Middlesex county council whether you could not leave the county council of Middlesex to supply itself, cut off part of the undertaking in Middlesex, and hand it over to the Middlesex county council; is that, in your opinion, practicable?—No.

2679. The learned counsel further asked you whether it was not contrary to the custom of Parliament to take water from one place and give it to another; is that your experience?—The custom of Parliament?

2680. He put it to you, that it was contrary to the custom of Parliament to take water from one district and hand it over to another district?—Parliament has sanctioned a number of cases where that has been done.

2681. Exactly?—But in this case we are not going to take it from one district. We are going to take water from London's own basin for supplying London.

2682. This Rickmansworth district is part of the great Thames watershed, is it not?—It is; it is a part of the Chiltern Hills.

2683. Part of the great Thames watershed, which may be fairly be said to be the natural watershed to supply London?—It is so; it is the Chiltern Hills.

2684. And, of course, you are aware of many instances?—Yes, numbers.

2685. In which water authorities, local authorities, and water companies have had to go out further?—Yes, with great hardship to the district

Mr. *Richards*—continued.

trict from which the water is abstracted, but here we take the water from London's own basin for the supply of London. Where else should London go if not to its own basin; where on earth can it go?

2686. Now I want to ask you a few questions as to the suggestion that this water that is derived from the Thames Basin could be supplied in bulk to the different local authorities outside London, and left to them for distribution; is not that question immensely involved, and made practically of almost too great expense and difficulty to be carried out by the number of points at which the mains of the water companies enter the different districts?—Yes, that is so.

2687. So that you would not only have to put a water-meter on one main entering a district, but on a great number of mains?—Yes, you have such an immense frontier; 60 miles is the extent of the London County Council boundary, I think. The number of roads which you intersect, and the number of parishes and places are very great.

2688. Of course you would have to put a meter on every main that supplies a district?—Every one that went outside.

2689. In order to check the amount of water that was actually consumed in that district?—You would have to form the streets.

Mr. *Pember.*] Water could be supplied in bulk at one place?

Witness.] You could not cut a number of pipes passing through places like Mortlake, Norwood, or any of those places.

Mr. *Rickards.*

2690. You cannot prevent water flowing through them, and unless you had a kind of check you could not deal with it?—There are isolated places like Wimbledon. You might manage it in the case of a place like Wimbledon, but not in the case of a place like Mortlake.

2691. You might take a few outgoing places?—You would have to sit down and take a map in the case of each company, and study the position of the pipes within the County Council boundary, and engineer a new scheme in each case.

2692. And put a meter, not only where such company entered a district, but where it left the district?—If it went into another district.

2693. If it went into another district?—You would have to start another set of accounts as well.

2694. Take for example a district like Kingston; you would have to put a meter on every main entering Kingston, on every main leaving Kingston and entering Richmond, on every pipe leaving Richmond and entering Barnes, and on every pipe leaving Barnes and entering Mortlake?—Some of these meters would have to be of very large size; it would be a most tremendous business.

2695. And would it have a very serious effect upon the pressure of the water in the mains for the purposes of fire extinction?—Where the pressure of the water in the mains is low no doubt the meter takes off some of the head; but where it is high that would not apply so much.

Mr. *Richards*—continued.

2696. Do you also see practical difficulties in determining the question as to what amount of profit should be made out of the supply of water in bulk by the authorities and the companies?—It would be one endless quarrel; because, if an interior district made a profit out of an exterior district, they would say, "your price is too high;" and if they made a loss, the converse. The price in bulk would be the most difficult thing to assess in each case; in fact, they would be always quarrelling.

2697. Would the ptessure of water in the mains be most reduced in the case of supply to the centre of London; that being furthest from the sources of supply; where the pressure at the present time is the least?—It depends upon circumstances.

2698. The docks, for example; it depends upon circumstances I admit?—It depends upon where the main comes from.

2699. And where the property is of the highest rateable value?—Yes; that is a wide question.

2700. You have at present eight complete systems of water supply in London?—Yes.

3701. And it would be impossible to divide them up, would it not, without first amalgamating them into a whole for the purpose of administration under one authority, and then finding out what parts you could sever?—That would be necessary. Supposing this trust formed and London to get the water, then you would have to sit down in the case of each district where these places want lopping off, or, perhaps, parts lopping off, and see the terms under which, and the circumstances under which it could be done. It would require study in each particular case.

2702. Is it all-important in the first instance that the Water Trust should acquire the whole of the undertakings?—They must get the whole thing and then sit down and deal with it.

2703. Take them as a whole and then see what parts (if any) could be severed?—Manifestly you must take the thing *en bloc*; first of all you must get the cake first and cut it up afterwards.

Mr. *Lawson.*] You are speaking of the eight companies only.

Mr. *Rickards.*] I am speaking of the eight companies for the moment, because these others are only brought in for supplemental supply. You will see on that map (I have had it marked since yesterday) that the Leatherhead joins the Lambeth district. (To the *Witness.*) Does it not?—Yes, it touches Lambeth.

Mr. *Lawson.*

2704. It does not quite touch it, does it?—Yes, that red one at the bottom actually touches; the one at the top, the Rickmansworth and Uxbridge Valley Company, does not quite touch.

2705. What is the meaning of this colour *here*?—That is taken from the Metropolitan Water Company's map.

Mr. *Rickards.*] The powers have not been exercised; Sir, in that light coloured area.

Witness.] With regard to the other one, the red one at the top, it does not actually touch the

Grand Junction Company: but by the powers we take in this Bill to lay pipes through that two or three miles between it would. We have a clause for that purpose, and, as a fact, we have laid pipes up to the frontier by arrangement with Lord Hillingdon, but another company intervenes. That however is all provided for.

Mr. *Lawson.*

2706. According to the map the pipes are not laid as far as the frontier?—Supposing this Bill to pass, the Leatherhead main would be led down probably to Hampton through Esher. The same at Rickmansworth; they would lay a main up to Ealing.

Mr. *Bristowe.*

2707. What you mean is that they are not joined but could easily be joined?—The lower one is actually joined; the upper one would join if this passes, because the two parishes are scheduled so far as laying the pipes are concerned.

Mr. *Rickards.*] They have got the powers to lay pipes, Sir.

Witness.] That is so; physically the top one is not joined

Mr. *Rickards.*] There is no legal difficulty, Sir.

Mr. *Lawson.*] No.

Witness.] It is all straight ahead.

Mr. *Pembroke Stephens.*] You do not suggest there is any power to lay pipes outside the district.

Mr. *Rickards.*] If the Leatherhead people can lay up to their boundary, and the Lambeth people can lay up to their boundary, there is a junction.

Witness.] There is a junction.

2708. I understand you that your position is: that it is all-important, in the first instance, that the Water Trust should acquire all the undertakings to give the supply throughout their whole district?—Yes, to get rid of the existing holders, to get everybody else out, to clear the ground.

2709. To work it as a whole?—You must; and not only that, but it would be impossible, even if they had it as a whole, for some years to separate these companies. They would have to work these companies, and to keep up the constitution of each company for several years?—You could not change the thing in five minutes even if they were bought to-morrow.

2710. And it will take some little time to discover how far you can sever?—It would require most careful engineering study. In each case you would have to sit down to it with great patience. For instance, the Lambeth, and Southwark, and Vauxhall intersect each other in every direction, all over the place.

2711. Your contention I understand is with regard to Watford. My friend, Mr. Sidney Holland, asked you a question about that; Watford is higher up the watershed, is it not?—It is a long way up; it is several miles above us; the water flows from Watford to us. It is monstrous to propose such a thing as that; of course the water flows down the valley.

Mr. *Bristowe.*

2712. I understood you to say that pumping water in the chalk did not as a matter of course reduce the levels of the wells, and that they still remained the same; in fact, after a little time the water got up to its original level. Somebody asked you whether you would not be likely to take your neighbour's water, and in answer to that question you said: "What he will have to do will be to sink a well deeper than mine." What did you mean by that?—What it means is this, Sir: that underground water is supposed to belong to the man who gets it.

2713. If it never sinks, why should they sink a well deeper than yours?—I do not mean to say it is not possible; two wells are all adjacent to each other. One man has two houses together, this house and the next, and if a man sinks here and there, he may possibly affect your well in London, under the clay.

2714. Not in London; I am talking about Rickmansworth?—If they were very close together he might do that. His remedy is not to go to law, but to sink a deeper well.

2714.* That admits that pumping water out of chalf does affect its level; I think you rather contended that it did not.

Mr. *Rickards.*] Actually from the same stratum.

Witness.] From the same level, the same stratum, and the same position.

Mr. *Bristowe.*

2715. I thought you said it was an underground river through the whole of the chalk?—It is.

2716. How can it run if separated by the beds of which you have spoken?—These beds are a number of beds passing one under the other, with obstructions as great as the Victoria Tower between them. We go and bore through 50 to 60 feet of a hard rock and come to nothing; then we suddenly strike a bed of flints; then the water comes up; then you go on boring and strike another bed of flints, and it comes up again. We find water rises at different levels in each well, and that tells us that the water is separated by rocks as big as the Victoria Tower.

Mr. *Lawson.*

2717. You spoke of the Mole being in a bad way at Leatherhead?—Very.

2718. But you say that the water close by is pure and clear?—Brilliant.

2719. If the water reached the well, would it not be affected by a natural process of filtration?—Not in that short distance. No doubt passing through a certain amount of gravel and sand would help it. The colour is changed; the water comes up from the well blue and clear, but out of the river it is dirty and foul with sewage; therefore the difference in the two waters is very great; and if they were put on the table you would see that they could not be the same.

Mr. *Bristowe.*

2720. But on that point you said the other day that after water had travelled about three miles along the river, over a weir, in even three miles, it loses nearly all its impurity?—No doubt.

2721. So

Mr. *Bristowe*—continued.

2721. So that it rather follows, as Mr. Lawson says, that filtration does take place, I should think?—Filtration does take place; and of course at that immense depth, we draw from 300 feet; you have the most perfect filtration, because you have got that enormous mass (Dr. Frankland dwells upon that) of chalk land and flint, through which the water has to pass. He calls it the most inimitable process of filtration.

2722. When Mr. Lawson asks the question, it is clear that it does filter?—It does filter; but it is not pure water we get from that source, as you would say if you saw the colour of it.

2723. It is a different article?—It is sewage more than water.

MR. GEORGE RICHARD HEMMERDE, sworn; Examined by Mr. *Rickards.*

2724. YOU are the Manager of the London and Westminster Bank, at their branch in St. James's Square?—Yes.

2725. And you have had over 40 years' experience in banking and financial matters?—I believe so. I do not wish to appear as manager of the London and Westminster Bank, if you please.

2726. No; you do not come here by the authority of the London and Westminster Bank?—No.

2727. But you come here as, if I may say so, and expert in financial matters and as treasurer to the St. James's Vestry?—Yes, that is so.

2728. Have you read the Bill so far as it relates to finance?—Yes, carefully.

2729. Have you read Clause 21 of the Bill which secures the consolidated water stock upon, first of all, the property belonging to the Water Trust; secondly, upon their water rents and other revenues, and, as an ultimate resort, upon the local rates of the whole of the metropolitan water area?—Yes.

2730. Have you also read Clause 24, which fixes the period of redemption by means of a sinking fund at 80 years?—Yes.

2731. Having regard to those two clauses, do you consider that the consolidated water stock would compare favourably with the metropolitan water stock of the London county council?—I should think, certainly.

2732. And in your opinion should it command as ready a market?—I should think so. The only suggestion I could make is this: I see that the dividends are only to be paid half yearly on this stock. I think a quarterly dividend is more popular.

2733. That could be very easily met by a slight alteration in the Bill?—Yes, I should think so.

2734. I am much obliged to you for that suggestion. Now, have you read Clause 15; perhaps you will kindly refer to it?—Yes; I have read this clause.

2735. That is a clause which provides for the distribution of the water stock among the shareholders in exchange for the water companies' securities?—That appears to be a satisfactory arrangement, or proposal.

2736. Have you also read Clause 17, which gives the debenture stock holders, preferential shareholders, and mortgagees of the existing water companies, the same tantamount security upon the undertakings of all the water companies in the hands of the Water Trust?—It appears from the drawing of the clause that their interests would be sufficiently protected.

2737. Is that, in your opinion, a proper and sufficient protection of the rights of the debenture stock holders, preferential shareholders, and mortgagees?—I should think so.

Mr. *Pember.*] That is a legal question, not a financial question.

Mr. *Rickards.*] I beg your pardon.

Mr. *Pember.*] You may beg my pardon, but it will not alter the fact.

Mr. *Rickards.*] Mr. Hemmerde is a practical man.

Mr. *Pember.*] So he may be.

Mr. *Rickards.*

2738. And he knows about it quite as well as anybody on this side of the table. (To the *Witness.*) With regard to Clause 20, as to the arrangements with the Bank of England as to transfer of stock, is that in your opinion a satisfactory provision, and one necessary and convenient for carrying the Bill into effect?—I should think so.

2739. With regard to this sinking fund, and the period which is fixed in the Act for the redemption of the stock by means of it, will that also tend in your opinion to enhance the value of the stock? I think I have asked you practically that question before?—I think so, but I think an investor in a stock of this class would scarcely care about its being redeemed; still no doubt it would add to the value of the stock.

2740. You see that in the Bill there is 80 years in which we can redeem the stock: are you aware that, in the case of Metropolitan Consolidated Water Stock, 60 years is the period for redemption?—I believe that is so.

2741. And, of course, that additional 20 years taken by the Bill will give an additional stability to the stock, and make it proportionately more valuable and better for holding?—I do not think that is a matter of much importance.

2742. You do not think that is worth taking into consideration?—No.

2743. Do you think, having regard to the security of the stock and the financial provisions of the Bill, that it is stock that trustees ought to be authorised to hold in the same way thot they can hold Government and other securities?—Judging from the experience of Metropolitan Consols, I should certainly think so.

2744. Have you read the second schedule to the Bill, providing that the consolidated water stock shall be personal estate, and shall not descend to the heir et cetera, or be liable to any foreign attachment, providing for a proper regis-

Mr. *Rickards*—continued.

ter, providing for transfers and transmissions, providing for certain provisions in the case of stock certificates to bearer for unclaimed interest and so forth? Have you read the provisions of Schedule 2?—I have read them, and they seem to be all drawn on the idea of assimilating this stock to similar stocks. The Metropolitan Consols I apprehend have been taken as the leading feature.

2745. I ask this question at my own risk: have you any doubt that the present shareholders of the water companies would accept the stock in lieu of——

Mr. *Pember.*] Well, it is not much "risk" to you.

Witness.] I think I could hardly commit myself to that.

Mr. *Rickards.*] I will merely ask you this would it be a desirable stock in your opinion to hold, having regard to the security of it?—Certainly.

2746. Would you have any objection to hold it yourself?—None at all.

Cross-examined by Mr. *Littler.*

2747. Have you considered at all what the outlay will be to secure these companies?—No; that is not a question I have taken into consideration at all, except the gross amount. If the question refers to the gross amount——

2748. I am not speaking of the gross amount; what is the gross amount of money that will be required to acquire the metropolitan undertakings and the Rickmansworth and the Leatherhead undertakings?—I have not felt bound to take that into consideration.

2749. Is not that a question to the holder, or is it the poor ratepayer that is to find all the rest if that happens to be an excessive sum; which is it you rely upon, the value of the undertaking; obviously not, because you have not considered it, have you?—No.

2750. Then all you say is that the metropolitan ratepayer, taken as a consolidated individual, is so strong that any burden that is put on his back he will have to bear?—If Parliament grants a certain amount of stock, I say, within the limits suggested by the Bill, that stock would be a good one.

2751. Yes, I quite understand that; but what you look at is that it will be something secured the rates?—Yes.

2752. That is what you are looking to?—That is what I am looking to, and the rental of the companies.

2753. The property of each company depends on whether it is bought at what it is worth or more than what it is worth?—Yes.

2754. You have not considered that?—No.

2755. And you do not know?—I do not.

2756. Have you heard in this room that the Leatherhead Company and the Rickmansworth Company have both got a magnificent and abundant supply of water, which they do not seem unwilling to sell; have you any idea what that is going to cost?—No.

2757. You know nothing about it?—No; I know nothing about it.

Cross-examined by Mr. *Pembroke Stephens.*

2758. There is only one question, I think which I have to trouble you with: this Bill contemplates the purchase, not only of the eight companies which everybody has been familiar with, but of two outside companies as well?—Yes.

2759. They are, of course, clearly outside the existing metropolitan water area?—Yes.

2760. Do you know that; have you gone into that at all?—No; I have simply gone into the financial question, the credit the stock would obtain.

2761. The financial matter into which you have gone shows this as we understand it; eight companies to be bought; stock to be secured upon the revenues of the water companies, with the further security of the rates within the metropolitan water area?—Yes.

2762. What is to be the security in the case of the purchase of the two outside companies?

Mr. *Rickards.*] The extended metropolitan water area; but Mr. Pembroke Stephens do not confuse that. The local rates of Leatherhead and Rickmansworth districts will also be liable in the same sense as the next.

Mr. *Pembroke Stephens.*

2763. Quite so. (To the *Witness.*) Then this will be a new burden thrown upon the ratepayers of the excluded metropolitan area?—Yes.

Mr. *Littler.*] I want to understand this from my learned friend Mr. Rickards. Do I understand, then, that all the places outside the county of London are also liable to be rated to this scheme.

Mr. *Rickards.*] I should have thought, Mr. Littler, if you had been in the room at all you would have understood what was intended.

Mr. *Littler.*] It would be more civil to answer my question.

Mr. *Pember.*] Why cannot you answer the question.

Mr. *Rickards.*] The metropolitan water area would be extended by the Bill, by means of the districts of the Leatherhead and Rickmansworth Companies. Throughout the extended area the ultimate security for the stock (failing a sufficient amount of revenue being earned, and after pledging the undertakings as a whole, the ultimate security, to which we do not think we shall have the slightest occasion to resort) will be the local rates of the whole of the extended area. That is the ultimate security.

Mr. *Littler.*

2764. Then it was not clear at all I see, notwithstanding your courteous remark, and I must ask a question upon that. (To the *Witness.*) Are you aware then that what you are proposing to do is to pledge the rates of one-fourth of the people who are now consumers of water who are beyond London; did you know that?—No, I was not aware of that.

2765. Is that fair?—I cannot really go into that question.

2766. You have come here to explain the finance?—Do you call that fair?

Mr.

Mr. *Rickards.*] It has nothing to do with it.

Mr. *Littler.*] Please do not interrupt, Mr. Rickards, after your discourteous remark.

Witness.] I have not to explain the financial part of the Bill. I have no interest in the Bill. What I had to do was to give an opinion as to whether if Parliament sanctions the raising of this stock it would be a marketable security.

2767. I quite understand that. Were you aware until this moment that one-fourth of the water consumers beyond the county of London were to incur the liability of being rated for this scheme. Did you know it until this minute?—I say that the Bill ——

2768. Did you know that they were to be rated for this scheme?—Not in that way. I thought not.

Mr. *Pembroke Stephens.*

2769. I want just to have it quite clear; at the present moment the Leatherhead Waterworks Company is a private concern in the hands of a private company, is it not?—Quite so.

2770. Is it part of the scheme which you have come here to advocate that the residents and ratepayers in the perfectly rural districts of Mickleham, Fetcham, Bookham, Stoke D'Abernon, Church Cobham, and High Cobham, are all to become guarantors of the purchase, not merely of their own local water company but of the eight water companies and the Rickmansworth Water Company as well?—I assume they could only be rated for what is supplied to them.

2771. But they are to take their part, there share, these outside rural ratepayers, in the purchase on a grand scale of the whole of these metropolitan water companies with which at present they have absolutely nothing to do?—But I assume they will get value for what they are rated for. That is the whole assumption.

Cross-examined by Mr. *Pember.*

2772. There is just one question that it occurs to me to ask you on the assumption that the shareholders would not take this stock; do you think there would be any difficulty in raising so large an amount of this metropolitan stock in the open market?—It would depend a good deal on the financial situation of the time, the state of the money market. For instance at the present moment such a sum as 16,000,000 *l.* of stock being put on the market would have some prejudicial affect.

2773. You think that there would be a difficulty at the present time with 16,000,000 *l.*?—I think there would be a difficulty at the present time.

2774. Suppose it was more than double 16,000,000 *l.*?—Of course the difficulty would be increased.

2775. It would be, would it not, a considerable operation to carry out, to raise 30,000,000 *l.* or 40,000,000 *l.* of this stock?—No doubt a large number of shareholders ——

2776. I ask you that specific question?—If it were necessary to place the whole amount on the market at once there would be no doubt a good deal of difficulty in times like the present.

2777. At any time it would not be a very simple matter, would it; I am not versed in these matters myself; would it be a simple matter at any time?—At times it would not present so great a difficulty.

Mr. *Pember*—continued.

2778. There would always be a difficulty?—Must I take the question exactly as: putting such a sum as 30,000,000 *l.* on the market at ouce? You say "double 16,000,000 *l.*"?

2779. Yes, it is more than 30,000,000 *l.* you know, but say 30,000,000 *l.*?—£. 30,000,000 would be a very large amount to place on the market at any time no doubt.

Cross-examined by Mr. *Moulton.*

2780. I only want to see what examination you have made before giving this evidence; you have made no calculation, have you, of the amount that you expect would be paid for the companies?—I think that is mentioned in the Bill.

Mr. *Richards.*] It is left to arbitration.

Witness.] About 16,000,000 *l.*, it is estimated.

Mr. *Moulton.*

2781. Have you made any calculation at all as to the amount of the rates which will be liable for it?—No; I have not done that.

2782. You do not know, then, the amount of the capital or the amount of the security; that is a fair way of putting it, is it not?

Mr. *Rickards.*] Nobody knows the amount of the capital.

Mr. *Moulton.*] Nobody knows the amount of the capital, as my learned friend says.

Witness.] I take it the companies are at present prosperous companies, and that their capital will not be very largely exceeded, or that the present market value would not be very greatly exceeded.

2783. Do you know the amount of the capital of the companies?—It varies with the different companies.

2784. You have made no calculation of what the present total market value is?—No.

2785. Now the other side; you have not made any inquiry as to the amount of the rates?—I know that it covers a large area, and that the rating must be very considerable.

2786. Does not your evidence come to this: you believe that if stock were issued, and there were the whole of the rates to fall back upon, it would be a marketable stock?—I do say so.

2787. That is substantially what you say?—Yes.

2788. Have you inquired whether those rates are burdened with any charges which would have priority?—They would be, of course. I know there are numbers of charges made upon those rates.

2789. Have you inquired as to how much they are?—No; it would be a very difficult thing to find out.

2790. In looking to the security of the rates, merely speaking as an expert, would not you like to know what prior charges there were?—The rates, I take it, are only a further security; the first security is the property.

Mr. *Rickards.*] The property and the revenue.

Witness.] The property and the revenue.

Mr. *Moulton.*

2790*. You said you thought that it would be marketable, because the rates would be considered; I ask you again, as an expert, would not you like to know what prior charges there on the rates?—Yes, if I were lending.

2791. In other words, if it came to business, you would have to inquire as to that?—Yes.

2792. You have not yet inquired as to that?—It would be an impossibility for me to do so.

2793. That is what I thought; in other words you are not in a position in which you could advise a client?—To make this large advance.

2794. Yes?—No, certainly not.

Re-examined by Mr. *Rickards.*

2795. Are you aware that at Manchester and other places not only is the revenue of the water undertakings secured upon the local rates, but that every ratepayer has to pay the water rate whether he takes the water or not; do you know that?—No, I was not aware of that.

2796. It is a fact; are you aware that under our Bill water rates will only be paid by those who take the water?—Yes, I believe that is so.

2797. Now with regard to this vast amount of money and the difficulties of raising it, supposing it is thrown upon the market, are you aware that the value of each undertaking will be the subject of separate arbitrations and consecutive arbitrations by the same board of arbitrators, and that the whole amount of money, whatever it is, will not be thrown upon the market at the same time?—I gathered from the Bill that it was so.

2798. Therefore you would not have 30,000,000 *l.*, or whatever it is, suddenly thrown upon the market and the market flooded with it, but you would have separate portions of this stock raised at separate periods?—Yes.

2799. With regard to the suggestion of a burden upon rural districts, if the rates have to be resorted to it will be in proportion, of course, to the rateable value of the districts?—I should think so.

2800. And the rateable value of rural districts, of course, will not compare for a moment with the rateable value of the metropolitan district.

Mr. *Moulton.*] This does not arise out of the cross-examination.

Mr. *Rickards.*

2801. It arises out of Mr. Pembroke Stephens' cross-examination entirely; and your objection shows me it is worth asking the question. (To the *Witness.*) Does it occur to you also that with regard to prior charges upon the rates of localities, those prior charges are not secured as this is in the first instance by such valuable things as the undertakings of water companies or the revenues derived therefrom.

Mr. *Pember.*] Had not you better make a statement of your own at once; it is much shorter. You have not asked the witness a single question.

Mr. *Rickards.*] I beg your pardon.

Mr. *Pember.*] It is absolutely narrative of your own.

Mr. *Moulton.*] And the witness nods his head.

Mr. *Pember.*] He looks bewildered.

Mr. *Rickards.*] I beg your pardon. I do not agree with that. (To the *Witness.*) Do you assent to the view that there is a considerable difference between a charge upon rates not secured on any property such as the water undertakings, and the charge upon rates, but the first security of which is the water undertakings and their revenue. Is there a considerable difference in your opinion?—There is a considerable difference. Tha securities given on rates are generally for paving purposes or some improvements, repayable on terms of 20 or 30 years.

Mr. *Lawson.*

2802. Could you tell me whether, if you have studied it, the financial arrangements of the Bill correspond with those of the provisional agreement of Mr. Smith which was rejected in 1880?—I have not compared the two.

Mr. *Bristowe.*

2803. Have you with regard to Rickmansworth thought that question out? It appears to me that, as far as the proposition goes, the proposal is to take water from Rickmansworth for the benefit of London for which the inhabitants of Rickmansworth get no pay, and to charge their rates as security for it; does not that seem rather a strange thing; you take away their water and put a charge upon their rates?—Would not they be supplied with the water in their own district?

2804. The water is to come to London; the water is to provide London with water; Rickmansworth naturally can have what all it wants itself; the great object of this arrangement is to bring water from Rickmansworth into London, to give to London for which Rickmansworth itself gets nothing at all, and you secure this upon the rates of Rickmansworth; at the same time you take away their water you put a charge upon them?—Yes.

2805. That is rather an unbusinesslike proposition, is it not?—I do not recommend the provisions of the Bill; I only give an opinion as to the value of the stock.

2806. But you did give us the statement that you thought the rates of Rickmansworth would be charged for it?—It seems that they are brought within the area.

2807. Is not that rather unfair?—It would be in that way.

Mr. *Rickards.*] I do not know whether I might point out that one advantage Rickmansworth would get is this: the water rates at Rickmansworth are considerablo higher than the water rates in the metropolitan water area, and they would have a smaller rate than they have now. You remember the proviso as regards Rickmansworth, Sir.

Mr. *Bristowe.*] Naturally. I only want to know what they get by this scheme.

Mr.

Mr. *Rickards.*] I do not wish to re-examine upon your examination, Sir, but only to point that out.

Chairman.] Is that your case, Mr. Rickards?

Mr. *Rickards.*] No, Sir. I have had a calculation made, which if you will allow me I can prove by figures, of the increased market value of the stocks of the companies each year for the last 20 years. It shows an annual increase of 1,000,000 *l.* a year.

Chairman.] What witness do you propose to put in now?

Mr. *Rickards.*] Mr. Wilkins. Mr. Wilkins has taken it out. If you will allow me I will recall him for the purpose of putting in that Table.

Chairman.] Certainly.

Mr. *Rickards.*] Of course it bears upon the importance of dealing with this question as soon as possible.

Chairman.] The general principle, no doubt, would be admitted.

Mr. *Rickards.*] The amount is what I want, Sir.

MR. HARRY WILKINS, re-called; and further Examined by Mr. *Rickards.*

2808. YOU have prepared a table showing the nominal amounts of the share and loan capital paid up by each of the eight metropolitan water companies and the market value of the same in March 1890, have you not?—Yes. [*The document was handed in, and is as follows:*—]

"METROPOLIS WATER SUPPLY.

TABLE showing (1) Nominal Amounts of the Share and Loan Capital paid up by each of the Eight Metropolitan Water Companies, and (2) the Market Value of the same in March 1890.

	(1.) Nominal Amounts.	(2.) Market Values.
	£.	£.
Chelsea - - - -	1,192,645	2,538,892
East London - - -	2,265 000	4 463,269
Grand Junction - - -	1,424,440	3,017,937
Kent - - - - -	870,024	2,238,825
Lambeth - - - -	1,675,000	3,763,747
New River - - - -	3,504,958	10,933,375
Southwark and Vauxhall -	2,195,750	3,244,375
West Middlesex - - -	1,304,916	3,244,016
£.	14,432,733	33,444,506

The share and loan capitals of the entire undertakings amounted,—

In 1871	to	£. 10,016,164
„ 1883	„	13,057.377
„ 1890	„	14,432,733

The market values of the entire undertakings amounted,—

In 1871	to	£. 14,475,096
„ 1883	„	27,933,052
„ 1890	„	33,444,506

So that the average market value of the water companies' capital,—

In 1871	was	144·51 per cent.
„ 1883	„	213·92 „
„ 1890	„	225·48 „

The capital of the companies therefore has increased by less than four and a-half million sterling between 1871 and 1890, but the market value has increased by nineteen millions sterling; in other words, capital; has been increased by less than 50 per cent.; market value by 150 per cent.

The above figures give some idea of the serious loss to the ratepayers of the metropolitan area, by every year's delay in acquiring the undertakings of the water companies. The above figures are taken from the evidence of Mr. S. Woods (of the firm of Messrs Alfred Lass & Company, Accountants) befor the County Purposes Committee of the City of London, 1890 (pp. 163, 166).

2809. Will you kindly explain this table to the Committee. Table 1 shows the nominal amounts of the share and loan capital paid up by each of the Metropolitan Water Companies; secondly, the market value of the same in March 1890?—Yes.

2810. The total nominal amount of capital being 14,432,733 *l.* with a total market value of 33,444,506 *l* ?—That is so.

2811. In the second paragraph is shown the amounts of the share and loan capitals of the entire undertakings?—Yes.

2812. In 1871 they amount to 10,000,000 *l.* in round numbers; in 1883 to 13,000,000 *l.*, and in 1890 to 14,000,000 *l.* and nearly a half?—Yes.

2813. The market value of the entire undertakings amounted in 1871 to 14,475,096 *l.*?—14½ millions in round figures.

2814. In 1683 to very nearly 28,000,000 *l.*; and in 1890 to 33 millions and well on for a half?—Yes.

2815. £. 33,444,506?—Yes.

2816. The average market value of the water companies' capital therefore in 1871 was 144·51 per cent.; in 1883, 213 92; and in 1890, 225·48?—Yes, that is the market value "per cent." That is to say the 100 *l.* stock would stand at 225·48 in 1890; that is the average.

2817. The capital of the companies therefore has increased by less than 4½ millions sterling between 1871 and 1890, but the market value has increased by 19,000,000 *l.* sterling?—Yes.

2818. Which is just about a million sterling per annum?—Yes, as an average.

2819. As against 4½ millions of nominal capital?—Yes.

2820. In other words, as you say the capital has increased by less than 50 per cent., and the market value by 150 per cent.?—Yes.

2821. Therefore every year's delay in the purchase of these undertakings increases the value of the undertakings of the water companies; and therefore the purchase, taking "market value" as a criterion, is increased about a million a year in the last 19 years?—Yes, on the average.

2822. Are those figures correct?—Yes, they

Mr. *Rickards*—continued.

are taken from evidence given by Mr. Woods, of the firm of Lass and Company, accountants, before the County Purposes Committee of the City of London, 1890. As regards the figures of 1871 and 1883, those are taken from a Parliamentary Paper issued in the year 1884, the market value being verified by the committee of the Stock Exchange. The figures for 1890 I have taken out independently from Mr. Woods, and they agree within a few thousands of pounds. Therefore, I am perfectly satisfied that substantially they are absolutely correct.

Mr. *Bristowe.*] I think they are almost copied from Mr. Burdett's book, are not they?

Witness.] Mr. Burdett has taken them from *this*, Sir.

Mr. *Bristowe.*] They seem to me to be the same.

Mr. *Rickards.*

2823. Are Messrs. Lass and Company the accountants who act under Mr. Stoneham, the Local Government Board auditor of the water companies?—I am not aware of that, but Lass and Company's analysis of the water companies' accounts is the recognised standard authority published periodically. It is a well-known authority on the finance of the metropolitan water companies.

2824, As you say, those accounts are published annually?—Yes.

2825. And they are open to public inspection?—They are open to public inspection, and they have never been disputed as far as I know.

Cross-examined by Mr. *Pember.*

2826. Just a question occurs to me to ask you about this first of all; for some years past what are known as the Auction Clauses have been in vogue?—Yes, in some of the companies.

2827. Well, in a great many of them?—The West Middlesex Company have just issued a large amount (something like 50,000 *l.*) of new capital, at par, among their existing shareholders.

2828. Do not the premiums received from an issue of new capital go in diminution of the amount to be issued?—No.

2829. I thought they did?—Not invariably.

2830. Not invariably?—No, nor I think, speaking generally, do they.

2831. That we will leave then; we will see about that ourselves; but now you say that the market value of these shares has increased 150 per cent.; that means one and a-half times, which does not sound quite so big?—It means three times the rate of the additional capital.

2882, That I understand; the one multiplied by three is 150?—Yes.

2833. I think I can see that; at all events we will say that the capital has increased since 1871 by 150 per cent.?—I beg your pardon; that is not quite what I said.

2834. The market volue has increased?—The market value has increased.

2835. Has increased by 150 per cent. since 1871?—Yes.

2836. That is practically 20 years ago?—Yes.

2837. I suppose other undertakings also have

Mr. *Pember*—continued.

increased very largely in their market value in the meantime, have not they?—And some have depreciated of course.

2838. Quite so; and a good many of the good ones have increased?—Yes, no doubt.

2839. Take railways, for instance; I suppose they have increased?—To nothing like the same extent.

2840. Do you know that? Do you know what was the value of the Great Western shares in 1871?—If you take individual cases you will find that the Great Western and the Great Eastern have both improved.

2841. These are the eight water companies?—But if you take the railway system as a whole——

2842. But that I decline to do?—We are taking the water system as a whole.

2843. No, you are not; you are taking the water system of London?—The water system of London as a whole.

2844. It is not half the whole country?—If you take the railways that have their termini in London you will find that the rate of increase in their market value has been nothing like 150 per cent.

2845. I will do that; I will take your advice; but in the meantime I will ask you whether you know what the increase has been in the value of the Great Western shares in the last 20 years?—I know it has been something considerable.

2846. Do you know what?—No.

2847. Do you know whether it has been as much as 150 per cent. or not?—I do not know. I am not interested in the Great Western Company.

2848. Can you tell me the same thing about the Brighton Company?—No. I have given special study to water stock but not to railway stock.

2849. Can you tell me anything about the Great Eastern?—I have not given any study to railway stock. I am not a stockbroker nor a financier.

2850. Then you do not know. If this means anything it means that it is an abnormal thing?—Oh no.

2851. You do not mean that?—What we mean is this: that 20 years delay in settling the water question has involved an increase in market value prices of 20,000,000 *l.* to the ratepayers.

2852. Why? That is what I fail to see. I suppose the water rental has increased very much?—The water rental has increased.

2853. In consequence of new buildings and increase in value?—And in consequence also of water companies acting more closely up to their statutory powers than they did 20 years ago.

2854. How do you know that?—From my own practical experience in hundreds of cases that have come within my knowledge and under my notice.

2855. "Hundreds of cases" will not carry us very far?—They have come to my knowledge, and I daresay they could be ascertained elsewhere.

2856. I daresay if they could be ascertained we should see what the result was. I suppose bank shares again have increased in value?—I cannot answer questions of finance generally.

2857. I see

Cross-examined by Mr. *Littler.*

2857. I see your last figures are 1883 and 1890; there must have been two quinquennial periods in that time, seven years?—No, only one, 1885. There would be two quinquennial periods between 1871 and 1883.

2858. Between 1883 and 1890, one quinquennial period, and another has just passed?—Yes.

2859. Then there is no immediate leap likely for the next four or five years?—The quinquennial period of 1890 is not included in *here.*

2860. At the present moment the quinquennial period of 1890 has obviously gone, and that value is the value of the waterworks property at the present moment?—Not under our Bill, I think.

2861. I am not talking of your Bill; I am speaking of any person who proposed to buy now; he would have to pay, unless you confiscated on the calculation of what they are earning this year, would not he?—If he bought without previous notice, but you see we gave notice before the quinquennial valuation list comes into operation.

2862. Your giving notice does not affect the passing of the Bill; it is Parliament that gives notice, net you?—Quite so. I mean that the water companies are not taken at a disadvantage.

2863. Any person buying the waterworks at this moment without the authority of Parliament, would obviously pay on what they are earning to-day?—You mean in the open market?

2864. In the open market; it would be on what they are earning to-day?—Certainly, in the open market.

Cross-examined by Mr. *Bidder.*

2865. There is one very big figure in this table of yours which stands out very prominently; in your list of market values, practically one-third of the whole is the New River?—Yes.

2866. That is 10,900,000 *l.* odd; and, of course, everybody knows that a very large element in that value has nothing in the world to do with water; it is property?—Well, it is very difficult to ascertain, you see, from the way in which the New River accounts are issued.

2867. But you have somehow or other ascertained the market value of the New River property?—The King's and Adventurers' shares must only be estimated. There is no market you see for those. They are usually sold by auction.

2868. They are usually sold by auction?—As a rule.

2869. Perhaps you will tell me, because that is a very salient figure in your statement, how you arrive at that figure, 10,933,000 *l.* odd, as being the prasent market value of the New River Company's undertaking?—There are 72 original shares. If you take those at 105,000 *l.* (I think that was our estimate), the original 36 King's shares and 36 Adventurers' shares.

Mr. *Lawson.*] You are averaging the two.

Witness.] Yes. The Adventurers' shares are worth a little more than a hundred thousand pounds, and the King's shares have sold for something like 95,000 *l.* The Adventurers' shares have sold as high as 128,000 *l.*: I believe that is the highest sum that has ever been paid. There are 72 of these original shares, and if you take those at a round figure of 100,000 *l.* that would give you 7,200,000 *l.* Then you have got the 5,000 shares 100 *l.* paid; you have got a million debentures, and about half-a-million "B." debentures.

Mr. *Bidder.*

2870. Perhaps you will tell me (which will help me in what I am trying to arrive at) as against that figure 10,933,000 *l.* (which you put down as being their estimated market value in 1890), how much did you include in that corresponding figure for 1883?—That I cannot say, because the 1883 figures are taken from the Parliamentary Return.

2871. I am very sorry to trouble you, but as it possibly vitiates the whole thing, I must ask you to try and give it to me?—The figures, as I tell you, for 1883 are not given on my responsibility. They are given upon the responsibility of the committee of the Stock Exchange.

Mr. *Bristowe.*] Not on the responsibility of the committee but of the secretary. The committee personally do not give them. However it is the same thing, practically.

Mr. *Bidder.*

2872. Follow me; I will tell you why I ask you; you see if you take 1883 and 1890 (we will leave 1871 out for the time, as being rather remote history), taking those seven years, you show an increment in the capital of the aggregated companies of 1,400,000 *l.* or thereabouts, not quite?—I beg your pardon; the figures of 1883 and 1890.

2873. Comparing 1883 and 1890, you show an aggregate increase of a little under 1,400,000 *l.*?—That is so.

2874. You show an increase in market values of about five and a-half millions?—Yes.

2875. Now I want to arrive at this: How much of that five and a-half millions represents the increase in value of the New River property in consequence of the reversions maturing?—No doubt a considerable sum. I believe the London estates of the New River Company will fall in (somewhere about) between 1910 and 1920, and of course the eight years——

2876. Has made a very very great difference?—No doubt it has.

2877. It is coming within measurable distance (that reversion) now?—No doubt.

2878. And in consequence the value of the New River shares has been very rapidly increasing?—No doubt.

2879. And therefore to put five and a-half million pounds as an increment on the water property in the seven years is a pure delusion?—No, no, not at all.

2880. Because a very large proportion of it, you admit (an unknown proportion), has nothing to do with the water property, and is simply due to the maturing of New River reversions?—Yes. That is due to the way in which the New River Company publish their accounts.

2881. I cannot help that?—Under the Act of

Mr. *Bidder*—continued.

1871 they are not bound to include their other property.

2882. It is not due to that only, but to the fact that seven years have rolled away, and that reversions to their real property in London and elsewhere are becoming nearer?—The increase in the New River shares by no means represents anything like five million pounds.

2883. Tell me what it does represent?—I have not got the details here.

2884. You have admitted that it does represent a very big figure.

Mr. *Rickards.*] Wait a minute, Mr. Bidder; he may be able to give it you.

Witness.] I thought it was in this return, but it is in another one which I have not got.

Mr. *Bidder.*

2885. If you can give me the actual figure I shall be all the better pleased. I have asked you, and I understood you did not know. You could not tell me what the New River was valued at as market value in 1883, as against the 10,933,000 *l.*?—No. Speaking from memory I think the increase in the New River system alone is about two millions out of the five millions.

2886. Are you quite sure it is not more?—I say "speaking from memory;" I do not think it is more, but I should not like to say so.

2887. We are getting into very loose figures?—It might not be so much, I should think two millions would be a fair estimate.

2888. Suppose it is three millions?—I do not think it is anything like three millions. I do not think it exceeds two millions.

2889. You have very fairly told me that you do not know. It is obvious that there is a very large figure included in that increment during the seven years of market value, which has nothing whathver to do with augmentations in the value of water stock, but simply represents the ripening of the New River reversions in land?—No, that is not what I intended to convey. The proportion borne by the New River Company was about 2,000,000 *l.* out of the whole. That would represent not only the increase of landed property, but also the increased revenue derived from water.

2890. You are speaking now only from memory; and I take it you do not pledge yourself to the accuracy of the figure?—No, to the 2,000,000 *l.* certainly not.

2891. It is perfectly clear that whatever proportion of that five-and-a-half milllon pounds represents the increased value of the New River reversions, in consoquence of their ripening, ought to be eliminated from the question?—No, I think not: because under the Bill you see the Bill includes the landed estates of the New River Company.

2892. This table is given to show the Committee how water stock is increasing in value?—Yes, quite so.

2893. As an indication of how water stock is increasing in value?—Not water stock only; but the nominal amounts of the share and loan capitals of the eight metropolitan water companies and water stock.

2894. At any rate it is quite untrustworthy as

Mr. *Bidder*—continued.

an indication of the value of water stock unless you eliminate that foreign element from it?—That you cannot do, because the particulars are not supplied by the New River Company; they are not required to supply them, and it is not possible to ascertain the figures.

2895. And you are not in a position to eliminate the amount?—Nor anyone but the New River Company.

Further cross-examined by Mr. *Pember.*

2896. It is a fact, is it not, that there has been a very serious diminution in the last 20 years in the value of money?—Yes; if you take the interest on consols for instance.

2897. That is merely one exemplification of it; but how much of this 150 per cent. increase in the market value of such a stock as the metropolis water companies' stock do you suppose is referable to that?—That is a hypothetical question, and one which it is impossible for anybody to answer.

2898. It is obvious it is a factor?—It might or might not be.

2899. Surely it is a factor. Are you prepared to deny it?—I am not a sufficient authority to say that.

2900. I do not suppose it wants any very great authority to suggest it. There is one other question I should rather like to ask you. I notice you say your Bill takes the figures of 1890 and not those of 1891; but suppose Parliament was to say, That is not a fair thing to do, and that even if this Bill was to pass, that the figures of 1891 must be taken; that is to say, after figures of the quinquennial valuation have had effect, would you take your Bill?—That is a question I am not prepared to answer.

Mr. *Richards.*] It might require consideration.

Witness.] That, of course, would require consideration.

Cross-examined by Mr. *Gerald Fitz Gerald.*

2901. Can you say how much of this capital is issued at par and how much at a premium?—No.

2902. That is an important point, is it not?—I think I can tell you the amount of premium received, speaking roughly, but I have not got the most recent figures here. About 350,000 *l.* has been received on premiums.

2903. On what?—On stocks of various denominations, and that would represent on an average——

2904. Let us go by steps, if you please; on what issues has that premium been received?—I have not got all the details here.

2905. During what period has it been received?—I believe the first Auction Clause. Do you know or do you not?

Mr. *Richards.*] He is trying to answer, if you will give him time.

Witness.] You will confuse me, I am afraid; I believe the first Auction Clause was passed in 1886. This would be since that period. Speaking roughly, approximately, the amount of capital raised

Mr. *Gerald FitzGerald*—continued.

raised under those auction and premium clauses is about 1,300,000 *l.*

2907. Then, so far as you know, no capital was issued at a premium before 1886?—That is rather too big a statement; it is rather too wide.

2908. I only want to get at what your statement is?—What I said was, that the companies were not required by Parliament to issue them except by auction or by tender before 1886.

2909. Do you say the figures apply only to capital issued since the introduction of the auction clauses?—The 1,300,000 *l.* do you mean?

2910. Yes?—Yes.

2911. And as to an issue before that, you are not in a position to give the figures?—No; I am aware in one or two of the companies, the better managed companies, the more provident managed companies, such things were done.

2912. But you cannot give the amount?—No; the amount would not be very large.

2913. You do not distinguish here at all between share capital and loan capital; are you in a position to do that?—Yes, roughly, not accurately. I mean to say I have got my own figures here, which differ slightly from Mr. Wood's.

2914. I will not ask you for the exact figures, but can you tell me whether the rate of increase in market value on loan capital has been the same, or pretty much the same as that on share capital?—That is rather a difficult question to answer. I should think, speaking generally, the advance on the ordinary capital has been considerably greater than that on the preference and loan capital.

2915. That is your view?—Yes.

Cross-examined by Mr. *Moulton.*

2916. You have heard the evidence of Mr. Grover, that the supply from the Thames and the Lee is improper and insufficient, and that further supplies to London are necessary.

Mr. *Rickards.*] I do not know how this arises out of any examination of mine Mr, Moulton.

Chairman.] I should like the question to be finished, but I doubt whether it is a proper question upon this point.

Mr. *Moulton.*] I think, Sir, you will see that the next question will make it so.

Witness.] I do not think Mr. Grover said that.

2917. You think at all events that some additions must be made to the metropolis supply?

Chairman.] That is not before us now; we cannot allow that; Mr. Wilkins is re-called purely upon these figures.

Witness.] I have given my views upon that in evidence already.

Mr. *Moulton.*

2918. Do you think that these facts are generally known to the public?—I should say so, because the Local Government Board and the official examiner have reiterated them for a good many years now; that is to say, that the requirements of London will shortly have to be supplemented.

Mr. *Moulton*—continued.

2919. Now I ask whether you think these market values are in view of such difficulties as those arising?—My evidence will satisfy you on that point I think, where I said that we were not going to buy as dividend-earning concerns but as water undertakings; that I have already stated in evidence.

Cross-examined by Mr. *Sidney Holland.*

2920. May my clients take it, as a ray of hope, that you do not include Rickmansworth amongst these figures?—These are only the eight metropolitan companies. I can give you the Rickmansworth figures if you like.

2921. I seould like very much if you would give the present value. Perhaps you would kindly furnish it instead of reading it, to save time?—I have no copies of the Rickmansworth; it is very simple. The Rickmansworth capital consists of 5,921 shares of 10 *l.* each, that is a total of 59,210 *l.*

2922. All paid up?—All paid up; the final call was paid on the 22nd of January of this year. The Leatherhead Company——

2923. Never mind the Leatherhead Company. I do not wish to have that; then tell me the market value of these shares?—They are not quoted.

2924. Nobody buys them?—They are matters for private bargaining; I do not know at what price they have changed hands. They are not quoted on the Stock Exchange.

2925. (To the *Chairman.*) Then, Sir, would you allow me to ask a question arrising upon a point that Mr. Wilkins mentioned when he was re-called by Mr. Rickards. He said that he had sent notice to the authorities of Rickmansworth that this Bill was going to be brought forward for buying up the Rickmansworth company. I asked him this specially, whether he had sent it to Rickmansworth, and he said he had. Might I ask him the date when he did that?

Witness.] I think I gave the date. I am sorry to say I have not got my papers with me relating to the outside supply.

Mr. *Rickards.*] What question is it, what number?

Mr. *Sidney Holland.*] Page 68, Question 1261.

Witness.] There would be two communications that went, but I cannot say to what authority at Rickmansworth; it would probably be the Watford guardians, as the sanitary authority.

2926. I have a resolution passed from Watford and Rickmansworth that you never sent anything of the sort?—I do not suppose I should, to Rickmansworth; that is not the sanitary authority.

2927. The guardians are the sanitary authority?—The guardians of the Watford Union.

2928. If you did not send it to Rickmansworth it is rather a pity you said you did. In answer to Question 1262, you said you did send it to Rickmansworth?—To the Rickmansworth sanitary authority, meaning the Watford Board of Guardians.

Mr. *Rickards.*] He did not apparently send it to the same persons or bodies you refer to.

Mr. *Sidney Holland.*

2929. I am referring to both the Watford guardians and the sanitary authority in Rickmansworth; neither of those bodies have it. If you would kindly look up the subject and let me know the date when you sent it I should be glad?—There would be two communications.

2930. Will you let me know the dates of both, please?—I do not know whether I could absolutely prove sending it to Watford or to Rickmansworth.

2931. I should very much like the dates or the copies of the communications?—There were two communications went.

Re-examined by Mr. *Rickards.*

2932. As a matter of fact you believe that you did send it; but I suppose at Rickmansworth they get the copies of the "London Gazette" and other London papers and can see for themselves?—The notices were published unquestionably in the local papers.

2933. In the local papers?—Certainly.

2934. That is, the proposal to take the Rickmansworth Waterworks?—Of course I do not know what local papers they were. The agent would be the proper person to call upon for that.

Mr. *Sidney Holland.*] We have not got a local paper.

Mr. *Rickards.*

2935. It is not a very important question. With regard to the New River Company, you found it impossible to separate the value of the water undertaking from the rest of their property?—It is absolutely impossible, because the King's shares and Adventurers' shares relate both to water and to the landed properties of the New River Company.

2936. I understand their accounts do not show it?—Their accounts do not show it. By the Metropolis Water Act of 1871 the New River Company are not required to submit to the official auditor their accounts relating to the real property. Consequently the revenue from real property does not appear in their published accounts, and I very much doubt whether the New River Company would furnish me with the particulars if I applied for them.

2937. Therefore, in the case of the New River, as in the case of the other companies, these figures relate to their undertaking as a whole, including whatever extra property they may possess?—That would apply to the other companies. Some of those have a set of small isolated houses.

2938. But nothing like the case of the New River Company?—No; it would be a few hundreds a year only.

2939. To whatever causes this increase in the market value of the capitals is due, it is an element that the purchasing authority will have to take into consideration?—I have no doubt the arbitrators will, whether the purchasing authority do or not.

2940. Exactly.

[The Witness withdrew.

Mr. *Rickards.*] That, Sir, is all the evidence I propose to call in support of the Bill, after the statement I made yesterday; the engineers of the water works companies will, I presume, be called by the water companies when the time comes, and you will have the opportunity of asking them questions; I shall also have the opportunity of cross-examining them, and, I hope, of eliciting some facts in favour of this Bill.

Mr. *Pember.*] You must not take that for granted.

Mr. *Rickards.*] The London County Council and the Corporation of London will, of course, call evidence when the time comes.

Mr. *Moulton.*] Why?

Mr. *Balfour Baowne.*] Why should my learned friend make a speech now. If he has finished his case we will go on with ours.

Mr. *Rickards.*] I think, Sir, the evidence necessary upon this Bill will to a certain extent be furnished, as it is in these cases, however unwillingly, by the opponents.

Mr. *Littler.*] Really, Sir, I must object to another speech now. My learned friend has closed his evidence, and there is an end of it.

Mr. *Rickards.*] I am not going to make another speech.

Mr. *Littler.*] I object to your making observations. You have closed your case for the Bill.

Mr. *Rickards.*] When Mr. Wilkins left the box, as I told you Sir, I had a number of witnesses from other vestries in support of this Bill; but I did not think it necessary to call them.

Chairman.] That closes your class at all events.

Mr. *Rickards.*] That closes my case.

Chairman.] I think it may save time if I intimate, on behalf of the Committee, that we shall not require any answer to the case for the purchase of these two extra companies. We shall in no case sanction that as part of the Bill.

Mr. *Balfour Browne.*] That does shorten the matter.

Chairman.] We do not decide emphatically against the Bill; but that is not a subject we shall entertain at all.

Mr. *Rickards.*] Did I make myself clear, Sir, the other day; that my proposal (at the stage when Mr. Wilkins left the box after the re-examination) was to give the Water Trust power to acquire these companies, but not to compel them to do so.

Chairman.] Yes. Anyway we shall not pass that part of the Bill which deals with the Leatherhead and the Rickmansworth water.

Mr. *Rickards.*] It was on that account I put Mr. Grover into the box. Therefore, upon my engineering questions, it will not really be necessary for my learned friends to call evidence.

Mr. *Pembroke Stephens.*] Might I, Sir, in consequence of the decision which has just been given by the Committee, remind you that I appear for the individual owners of property in one of these outside districts, and we have been put to very serious expense in coming before this Committee

mittee for the defence of our own districts. Let me remind you how this matter stands. There was no proof whatever of any arrangement with these outside companies; there was no proof whatever of any acceptance by the outside districts of these proposals; further than that as regards the outside district, there was not one scrap of evidence in support. The case as put before you was the case of Mr. Wilkins, who argued very ably and very clearly as the representative of certain, and only certain metropolitan districts and vestries; absolutely no connection whatever, no authoeity to speak, no invitation to act, for any of the outside districts whatever. There was not a suggestion of outside promotion in the matter. The only connecting link between those inside districts and the outside districts was the view—perfectly honestly, but I think perfectly mistaken—entertained and advocated by Mr. Grover. Deluct Mr. Grover from the case (he has been a long time in the box, and therefore there is a certain impression of outside evidence produced), and there is absolutely no connection with the outside districts whatever. As regards these various documents and previous inquiries which have been reiied upon, they related to water companies, and they had absolutely no connection with these districts whatever; and the position in which I stand here is this: representing individual owners of property, the millowners and owners of other property on the various streams which have been threatened by these pumping operations; they have had to come at their individual expense and show you (as they would have shown you if the case had gone on) the very serious mischief which would have resulted. It is before you in evidence (I elicited it yesterday) that on at least three successive occasions in recent years Parliament has interfered for the protection of those very interests (that is perfectly well known); and if the Bill had come before you simply as a Bill to take powers to pump in the chalk as affecting these several properties, you would have had, for the fourth time, the same tale, the same story, and, we should have hoped, the same result. But the character of this proposal has been to endeavour to get powers, by a side wind and in connection with the big metropolitan question, over the land and waters in which my clients are interested. Now, Sir, that is a wholly exceptional case. It stands upon its own merits, and entirely apart from the general question of the London water supply stock. It is a serious hardship upon private gentlemen, millowners and others, that they should have to come time after time for the defence of interests in defence of which Parliament has so repeatedly pronounced. Under these circumstances I submit that we have been unreasonably and vexatiously subjected to expense in defending our own rights in the waters; and I make the application now to the Committee for the costs of this opposition. There is not, as I have shown you, in the promotion of the case, in the evidence for the case, in the history of the case, the slightest justification for the proposals as regards the Leatherhead district. Now, Sir, I make this application on behalf of the gentlemen who have been put to this great expense. It is a duty on their part to come and give to the Committee all the information in their power, and as regards that I do not stray into any question of what the individual actions of other people have been. I say there is no agreement with the water company (on the contrary, I believe if anything the company is hostile to the Bill); there is no colour to local promotion; there is no local evidence; there is no justification, in fact, for this proceeding, because at the close of the Promoters' own case, and before any opponent has said a word against it, the Committee have intimated to the Promoters their non-satisfaction with that part of the scheme.

Chairman.] I should just correct you so far, Mr. Stephens. It is not upon the merits of the case so much as upon the general policy of a supplementary supply to London. This is only part of the big question, and as to whether this be or be not a method which might be adopted by some authority the Committee does not express its opinion.

Mr. *Pembroke Stephens.*] You will, observe, Sir, that I have rested my argument not upon anything the Committee have yet done, but upon the fact that if the outside and supplemental supply is to be brought forward, at least it ought to be brought forward with a proper justification. What you have here is merely the opinion, the theory, of some inside vestries that the supply might be supplemented in this way. You have had no concurrence from outside districts at all. You have had absolutely nothing to justify them, if I might venture to say so, in submitting that view. If this were the case of a Water Bill, discharged from the question of the purchase of the inside undertakings, as to which I do not say a word, if this were simply a question for bringing the outside water into London, you have had absolutely none of the ordinary evidence in support of it, neither water companies concurring, outside local authorites desiring, or outside persons of influence supporting. The case has been absolutely silent from first to last. Therefore, seeing that you have none of the ordinary evidence in support of the Bill, that it would be a popular and local advantage that the thing should be done, I respectfully rely upon that, apart from any question of whether it might be desirable to do this upon some other and differently promoted Bill; upon this Bill I say there is no justification for it and we have been put to this expense.

Mr. *Rickards.*] Now, Sir, I may remind you, to begin with, of the extremely few instances in which a Committee of the House of Commons has considered it right to award costs against the promoters of a Bill. First of all, regarded as a whole, I trust the Committee will not think that the promotion of this Bill has been unreasonable or vexatious, because your opinion, in order to award costs and bring you within the provisions of the Costs Act, must be unanimous that the promotion of the Bill is unreasonable; that it is unreasonable and vexatious, and that in consequence of that——

Mr. *Pembroke Stephens.*] Mr. Rickards ——

Mr. *Rickards.*] Wait one moment; I am going on; and that, in consequence of that, opponents have been unreasonably and vexatiously put to the expense of defending——

Mr. *Pembroke Stephens.*] Their rights?

Mr. *Rickards.*] Their rights. Now, Sir, what we proposed to do under the Bill was this: we proposed that the Water Trust should take the place of the Leatherhead District Water Company in the Leatherhead district. The Leatherhead District Water Company, who supply these very petitioners, have in their Acts a proviso that the first consideration of the company shall be to supply to the district in which these petitioners live. They are, so far as I know, all within the districts of supply of the Leatherhead and District Company; and I submit, Sir, with great respect, that it has not been in any way proved to you, and that you will not be unanimously of opinion that it has been proved, that these very petitioners would have been injured if we had taken the place of the Leatherhead Company and acquired its undertaking. I think I have given you sufficient evidence to show that it is extremely doubtful whether these petitioners would have bekn imjured at all. The reason that induced us to include the Leatherhead Water Company within our limits of supply was the well-ascertained knowledge that a very large amount of available water could be obtained at the site of their works and in their district; and considering the state of the river Thames and Lee in the summer, and the large amount of increase in the population of the metropolitan water area, I do not think, without for a moment questioning the wisdom of your decision upon this part of the Bill, I do not question that for one instant——

Mr. *Pember.*] I do not think you can.

Mr. *Pembroke Stephens.*] My opinion, Sir, has been called to this point; my impression is as strong as ever with regard to the moral claim; but there is a doubt under the Act; in fact, it is more than a doubt whether you can give costs in this case. I should be very sorry to mislead the Committee: the Costs Act refers to Private Bills; I am told there is a distinction between this and an ordinary Private Bill. This, although in one point of view a Private Bill dealing with water companies and rates and so on, is from another point of view a Public Bill; and if that is so it would not be within the provisions of the Act.

Mr. *Pember.*] Is this a Private Bill or not, Mr. Rickards?

Mr. *Rickards.*] It is introduced as a Public Bill.

Chairman.] I think you had better not press for the costs, Mr. Stephens?

Mr. *Rickards.*] I am much obliged. That is my case.

Chairman.] Then what will be the course of the opposition to the Bill; what is proposed among Counsel?

Mr. *Moulton.*] I propose on behalf of the London county council to put in my evidence first, without making a speech.

Chairman.] What is your evidence? Sir Thomas Farrer is coming, is he not? I have heard a whisper to that effect.

Mr. *Moulton.*] He is. I should put in Sir Thomas Farrer first.

Mr. *Bidder.*] That would be a convenient course.

Chairman.] Would it not be most convenient to adjourn to Tuesday, and begin the opposition on Tuesday?

Mr. *Rickards.*] I think it would.

Mr. *Moulton.*] I think it would.

Chairman.] We are a very small Committee to-day, unfortunately; and it is opening the whole case.

Mr. *Moulton.*] It is.

Chairman.] I am sorry to disappoint anybody who is here for a day's work.

Mr. *Rickards.*] We do not mind having only half a day's work, Sir; Tuesday, at half-past 11?

Chairman.] Tuesday, at half-past 11, if you please.

Mr. *Bidder.*] There is one question that now arises which, perhaps, you might dispose of before you go. I think it would be quite clear that in the peculiar circumstances of this case the ordinary rule will not obtain; that is to say, the rule that one opponent cannot cross-examine the witness of another. It is obvious here, I think, that the London county council are to a certain extent in a position antagonistic to the companies, or their interests, it may be so; and therefore it ought to be clearly understood that the companies and other interests which are affected by the evidence on the proposals of the London county council will have the right to ask any necessary questions.

Chairman.] You are not joint opponents?

Mr. *Bidder.*] No, we are not joint opponents; therefore it ought to be understood. I think that is very proper and legitimate.

Chairman.] It must be kept within limits; but I think it quite right that you should ask questions to show your position.

Mr. *Rickards.*] I shall not resist that, for the Promoters.

Tuesday, 2nd June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. Murdoch.
Sir. Matthew White Ridley.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, IN THE CHAIR.

Sir THOMAS H. FARRER, sworn; and Examined.

Mr. *J. Fletcher Moulton.*

2941. I BELIEVE you were joint secretary to the Board of Trade from 1865 to 1867, and permanent secretary to that department from 1867 to 1886?—I was.

2942. During that time had you any connection with questions as to the supply of water?—Yes, during the earlier part of the period, so far as the Government was concerned, the business of water in London was under the Board of Trade, the business of water and gas. The business of gas still remains with the Board of Trade; but the business connected with water was transferred to the Local Government Board, I think in 1875, by the Public Health Act.

2943 Even after that transfer had you anything to do with it?—Indirectly. I used to hear of it a good deal, for Mr. Stoneham, who was a financial secretary to the Board of Trade, had been appointed auditor to the water companies, and was continued as auditor to the water companies by the Local Government Board, and he still remains auditor.

2944. And as to the question of gas, were important steps taken with regard to it during your period?—Yes; very important steps, to which I shall have to refer at a subsequent period of my examination.

2945. At the present moment I believe you are an alderman of the London county council?—I am an alderman of the London county council.

2246. And also vice-chairman?—And also vice-chairman of the London county council.

2947. And have you taken any part in local government in the vestries?—Of course, as Secretary to the Board of Trade, I was interested in those questions when they came before the Central Government, and since I left the Board of Trade I have become a member of the Marylebone vestry, as well as a member of the London county council, and I have taken considerable interest in London questions.

2948. Including all these questions of water supply, I believe?—Including all these questions of water supply.

2949. Have you come to any conclusion as to the hands in which that water supply should be. Ought it to be left in the hands of distinct companies or one central authority?—That question has been really pretty well decided by Parliament, by public opinion, and by general practice, and so far as I understand it by the opinion expressed by this Committee. I therefore do not think it necessary to go into the question of whether it is desirable that the supply should be left in the hands of companies, or transferred to municipial authorities. I consider that question to be settled, unless the Committee should wish any evidence upon that point.

Mr. *J. Fletcher Moulton*—continued.

2950. In connection with that, is there any second question which you think ought to be treated at the same time or before it?—I have been very much struck, in the course of investigating this question, with the exceeding importance and the exceeding gravity of the question of (whether the matter remains in the hands of the companies or is transferred to a municipal authority) where the future supply of water is to come from. I believe that to be the primary and most important question now under consideration.

2951. Do you consider that it is at all settled that the future supply must be the same as the present?—No; everything that has transpired has thrown doubts upon that; and before any question concerning the transfer of the present undertakings can be settled, my belief is that this question of new supply must be thoroughly investigated. I should like to add that, in the evidence I am about to give, I have considered very carefully and read very carefully not only the Report, but the evidence given before Sir William Harcourt's Committee of 1880, and the evidence that I shall give will follow very largely the lines down by that Committee.

2955. In the investigation which you say you have made, have you been acting as a member of the London county council?—I have; it is as a member of the London county council that I have been lately looking at this matter.

2953. Will you explain to the Committee the exact position of the London county council in connection with it?—The London county council have at present no statutory functions with respect to water, except some secondary functions regarding a constant supply. They came

Mr. *J. Flstcher Moulton*—continued.

into existence in the spring of 1889. I believe members were perfectly aware of the importance of this water question, but necessarily there was the *regni novitas* and the difficulty of organising themselves, and it was some time before they could take up such a question as this. There was, however, at a very early period a special committee upon water supply and upon markets appointed, of which Mr. Beal (whose name is so well known in London with reference to this question) was chairman. That was appointed, I think, very shortly after the council commenced operations. Then that committee was placed in some difficulties by various circumstances. First of all, the old engineer of the Metropolitan Board of Works (Sir Joseph Bazalgette), retired immediately after the council came into operation. He retired on the 25th March 1889. The council then appointed another engineer, Mr. Gordon. He was appointed on ths 9th July 1889. Just as he was beginning to learn something about his business he died of heart complaint, suddenly, in November 1889. Another engineer, formerly engineer of Liverpool, Mr. Dunscombe, was appointed in December 1889, and he was obliged to give up from ill-health in the beginning of February. Of course, during that time it was exceedingly difficult to proceed, in the absence of any principal engineer, with an inquiry on this important subject. Then on the 11th February 1890, and not till then, Mr. Binnie, the present engineer of the London county council, was appointed. Most fortunately, he was a man who had had very great experience of water works in the north of England, and I consider that the council, especially having regard to this inquiry, were very fortunate in obtaining the services of such a man as Mr. Binnie.

2954. Now, having got an engineer who is acquainted with this matter, did the London county council last year get any powers with regard to water supply?—Yes. They found themselves in this position: that in consequence of previous legislation, and of what had passed during the period of the Metropolitan Board of Works, they had no power to bring in any Bill connected with water supply. Their hands were tied. They had no power to spend a sixpence on any inquiry connected with water supply. Their hands were tied. What they did in the Session of 1890 (for they had no opportunity of doing it ~~during it~~ during the Session of 1889, they had had no opportunity of giving notices or bringing in a Bill) was this: In the Session of 1890 they procured power to spend 5,000 *l.* on investigating the subject of water supply.

2955. By what section is that?—That is done in the London Council (General Powers) Act, 1890, 53 & 54 Victoria, cap. 243, section 38, which says, "It shall be lawful for the council from time to time to prosecute and conduct inquires and negotiations relative to the supply of water, or companies supply water in or near the administrative county of London, and to pay out of the county fund the cost and expenses of such inquires not exceeding 5,000 *l.*"

2956. Now as to the opposing Bills, what are their powers?—With reference to opposing Bills, they have power under the Borough Funds

Mr. *J. Fletcher Moulton*—continued.

Act to oppose Bills, but only under certain special conditions, which are contained in that Act, conditions which I know, from my experience at the Board of Trade, were made as stringent as they could be by the companies. Those require a resolution passed by an absolute majority of the council. That resolution has been passed in this case; and, therefore, we are all clear upon the subject of opposition.

2957. You have told us just the position of the London county council in this matter, and the steps they took to obtain further powers. Has there been any delay or tardiness in applying those powers?—On the contrary, the water committee reported at the end of the summer of 1890, just before the vacation, to the following effect; and I think it is rather important, with a view to show what has been the action of the council and what has been the animus of the council, that I should read that report and the resolution of the council upon it.

Mr. *Rickards.*] What date is that?

Witness.] This report was before the council when it adjourned on 29th July 1890, and it came before the council again on the 30th September in the same year. This is the report: "(1) It will be within the recollection of the council that the General Powers Bill contains a clause for authorising the council to prosecute and conduct inquiries and negotiations relative to the supply of water, or to companies supplying water, and relative to markets in or near London. The Bill has passed the Commons, and is now in committee in the Lords. Should it become law, it will be desirable for many reasons to enter upon the inquiries with the least possible delay, and it may even be necessary to commence them before the meeting of the council after the recess. To enable us to do this it will be necessary for the council to pass a resolution authorising us to undertake the inquiries, and we therefore submit the following recommendation: That in the event of the necessary power being given by Parliament, the special committee on water supply and markets be authorised to prosecute and conduct inquiries and negotiations relative to the supply of water, or companies supplying water, or relative to markets in or near London, provided that the cost of such inquiries do not exceed the limits imposed by the section authorising such inquiries and negotiations. (2) Before entering upon the inquiry relating to water, referred to in the preceding paragraph, we think it will be desirable to approach the water companies with a view to ascertaining whether it would be possible for the companies and the council to make some provisional agreement as to the terms upon which the companies' water undertakings should be transferred to the council of Parliament gives the necessary authority. If some such arrangement as this were made, it would save great delay and expense, and we think that the council should endeavour to provisionally agree upon terms with the water companies. We therefore recommend that the committee be authorised to enter into tentative negociations with the water companies for the purpose of ascertaining upon what terms the

the companies will be prepared to dispose of their undertakiugs to the council in the event of Parliament empowering the council to acquire such undertakings."

Mr. *Bidder.*] Can we have a printed copy of this, Mr. Moulton? I do not know, Sir Thomas, whether this has been printed.

Witness.] It has been all printed. You shall have all our proceedings. They are all public.

Mr. *Bidder.*] Would there be any objection to our having a copy now?

Witness.] If the agent has one ready, not the least.

Mr. *Moulton.*] I will see that you have copies.

Mr. *Rickards.*] I shall be much obliged for one.

Mr. *Bidder.*] There must be more than one copy.

Witness.] There are plenty of copies at Spring Gardens.

Mr. *Rickards.*] That is not much good.

Mr. *Moulton.*

2958. (To the *Witness.*) Have you finished that?—I wish to state what happened, because I wish the Committee to be in full possession of what happened; I also wish them to see what the animus was in the council on the subject.

2959. Was there any hostility on the part of the council to the water companies?—On the contrary they wished at once to negotiate in a friendly way with the water companies. I confess I myself, having looked a little into the matter, think we hardly knew enough about the subject, or about what was the proper basis of negotiation, to enter into such negotiations, and I doubted whether it was wise, under such circumstances, to open negotiations. I consequently moved an amendment, which was seconded by Mr. Clarke, one of the city members, "That the report be referred back to the committee with instructions to consider the recent evidence taken by Parliament and the City, and report to the council such information as they are able to procure with respect to the present value of the undertakings of the companies, the adequacy of the present sources of supply, and the possibility of obtaining water from independent sources of supply." On that I was thoroughly beaten. For my amendment there appeared 27, and against my amendment 58; therefore at once empowering the water committee to enter into negociations with the companies. The recommendations were carried with some intermediate amendments relating to the finance clauses of the Local Government Act. Those two recommendations of the water committee were carried.

2960. At what date was that?—That was the sitting of the council on the 30th September.

Mr. *Bristowe.*] 1890, I suppose?

Witness.] 1890.

Mr. *Moulton.*

2961. What was done upon that?—Upon that the water committee, on the 6th October, wrote this letter to the water companies: "I am directed by the special committee of the council on water supply to call the attention of your company to the provisions of the Section 38 of London Council General Powers Act, 1890, which authorises the council to prosecute and conduct inquiries and negotiations relative to the supply of water or companies supplying water in or near the administrative county of London. Before entering upon any inquiry on this subject, the committee desire to ascertain whether the water companies are prepared to enter into negotiations with the committee with a view to pro-arranging the terms upon which the companies would transfer their undertakings to the council. Will you be good enough to inform me whether there is any association or body upon which your company with others is represented, and which would have authority to consider any communication which the council might make with a view to such negotiations as are referred to in the section above mentioned." That is signed by the clerk to the council. To that letter——

Mr. *Murdoch.*

2962. May I ask what companies that letter was sent to?—To the eight water companies. We had nothing to do with Rickmansworth or Leatherhead.

2963. The eight companies?—The eight companies. These were the companies' replies: "Chelsea Waterwork, 17th October 1890. The Governor and Company of Chelsea Waterworks would be adverse to the transfer of their undertaking, but if the county council think fit to make them any definite proposal this Board will not fail to give it their most careful consideration." "East London Waterworks Company, 17th October 1890. Although the proprietors may have no wish to transfer their property to the council, yet the directors feel in their representative capacity they are willing to receive, and carefully consider, any proposals which may emanate from your Council, having in view the absorption of the East London Waterworks Undertaking." "Grand Junction Waterworks Company, 21st October 1890. They are not at present prepared to enter into negotiations with the committee of the council with a view to provisionally arranging the terms upon which the undertaking of the company might be transferred to the council . . . any communication which the council may be pleased to make to them will receive their most serious attention." "Kent Waterworks (22nd October 1890). The directors will give their careful consideration to any communication which the committee may make to them with that object." "Lambeth Waterworks (21st October 1890). The proprietors would prefer to retain and carry on their undertaking . . . If the London county council in their desire to enter into negotiations with the company, have any proposal to submit, the directors will give it their fullest consideration." "New River Company (23rd October 1890). Whilst they are unwilling to transfer their undertaking, they are prepared to give full and careful consideration to any communication which the council may think proper to make to them." "Southwark and Vauxhall Water Company (22nd October 1890). This Company has no desire to part with its undertaking, but should the London county council think fit to make

Mr. *Murdoch*—continued.

any definite proposal in relation thereto, my directors will be prepared to give the subject their most careful consideration." "West Middlesex Waterworks (21st October 1890). The proprietors would be adverse to the transfer of their undertaking; but, nevertheless, the directors will not fail carefully to consider any definite proposal that the county council may think fit to make to them on the subject."

Mr. *Moulton.*

2964. So much for the communications with the companies?—I think I had better mention that the council also on the 18th October asked for permission for the council's engineer to inspect the companies' works, to which the Chelsea Company replied on the 20th October, that the company consented. The East London on the 30th October; they considered that a further communication upon the council's letter of the 6th October should first be made; the Grand Junction on 22nd October: "The company consent; Mr. Binnie to communicate with the company's engineer." Kent, on the 29th October, considers "a further communication upon the letter of the council of the 6th October should first be made"; Lambeth to the same effect as the Kent; the New River to the same effect as the Kent; from the Southwark and Vauxhall no reply was received; the West Middlesex: "the company consent; Mr. Binnie to arrange with the company's engineer."

2965. Now going back to the proceedings of the water committee, what steps did they take next; was there a meeting on the 1st October 1890?—I think I had better mention what the steps were which the water committee took with a view to carry out the inquiries. I will mention them in general terms: they make orders that the engineer should report the heads under which it was desirable to obtain evidence for the inquiry proposed to be held on the subject of the water supply; that a synopsis of reports should be prepared; that the engineer should prepare a tabular statement of the quantity of compensation water required by Parliament in recent Acts obtained by corporations authorising new sources of supply. Then the engineer was to retain certain consulting engineering advisers, some of whom will appear before you. Then Mr. Symons was to be asked to prepare tables showing the rainfall of the Thames, Lee, Severn, and Wye catchment basins, and of the Dartmoor Hills: those will be prepared and submitted. Professor A. H. Green, and Mr. W. Whitaker were jointly to prepare a report on the water-bearing strata of the London catchment basin, and the suitability of the Thames Valley for the construction of storage reservoirs; an extremely important point. That report is ready and is in the hands of the engineer, and those gentlemen will be prepared to give evidence. The medical officer of health was to obtain statistical information as to the prevalence of certain diseases in several parts of London supplied by different waters. Certain gentlemen were to investigate and report as to the pollution of the Thames and Lee; then the engineer was to report to the population returns of the Thames and Lee valleys above the intakes of the water companies for the decennial periods terminated 1851, 1861, 1871 and 1881; and to get

Mr. *Moulton*—continued.

further statistics. The Local Government Board and Royal Society were to be informed that the council was anxious for information as to the vitality of microscopic pathogenic organisms in water, and that Dr. Dupré had offered to make such inquiry; but that before accepting his offer the council were anxious to know whether they had made or contemplated making any such investigation.

Mr. *Bidder.*

2966. As to what?—The vitality of microscopic pathogenic organisms in water; a very important question by the way. Then a report was to be obtained from Professor Robinson with statistical information and tabular statements of the flow of the Thames. Professor Frankland and Dr. Klein were to be asked for information and evidence and to make certain analyses; and in addition to that, Mr. Cripps, the Parliamentary Agent of the London county council, who has had great experience of the different water questions in different parts of England, undertook to make a careful inquiry concerning what had been done in certain provincial towns and districts, which will be in due course laid before you.

Mr. *Moulton.*

2967. In your opinion, were those all the steps that could with advantage be taken by the county council at that time?—Those, I think, embrace all the important questions which it was desirable to inquire into, and of course those inquiries would take a very considerable time, and I doubt whether any one of them can be said to be yet entirely completed. We shall give the Committee all the information on this point which we have been able to obtain ourselves.

2968. Now, turning to the action of the council itself: Did the council pass a resolution on the 1st of November, or the 1st of December 1890, relative to this matter?—No, the 12th November, I think, was the first important step taken.

2968. What was that?—I do not know whether I need read the report; it was a report of the water committee in which they stated what they had ascertained; but with regard to the notices given for the Bills of this Session, they stated what the result of their communications with the companies had been. They stated further, which I have not read, that the companies were unanimous in declining to submit evidence at any inquiry held by the London county council; and they went on to say, that "as it appears to us to be a essential in an inquiry of this nature"; that is, a public inquiry, "that all sides should be heard, and that the investigations should be of an exhaustive nature; we have come to the conclusion that in the absence of the co-operation of the water companies, it is not desirable to enter upon an inquiry in this form," that is, in the form of a public inquiry. They then went on to state that "the council cannot promote any Parliamentary Bills relating to the water supply, but can oppose Bills in Parliament affecting the county of London, and we have come to the conclusion that the most desirable course for the council to take in connection with the authorised inquiries is to obtain information and prepare evidence

Mr. *Moulton*—continued.

evidence, with a view to its being submitted to any Parliamentary committee dealing with the subject." They then referred to what had been done by the City, to which, I think, I need not at present refer, and they recommended: "that it be referred to the Parliamentary committee to take, in conjunction with this committee" (that is the Parliamentary committee of the county council), "subject to any necessary resolutions under the Acts relating thereto; the necessary steps to enable the council to submit to Parliament its views on any Bills dealing with the water supply of London, which may be introduced during the ensuing Session"; and that recommendation was adopted by the council.

Mr. *Bidder.*

2970. Is this also in print; could we have copies of this?—You shall have copies of the whole proceedings; I think the better plan will be to send up to the council for the whole proceedings.

Mr. *Rickards.*] It should either be read out or we should have copies of it, one or the other.

Witness.] Certainly.

Mr. *Bidder.*] It would be a great convenience if we could have it now.

Witness.] I only wish to save time in not reading the whole.

Mr. *Bidder.*] It is of great importance to us.

Witness.] There is no secrecy about it.

Mr. *Rickards.*] Unless you read the whole, we cannot know the facts.

Mr. *Moulton.*] We have sent for them.

Witness.] The clerk of the council will give them at once. Then, I think, the next important result of the inquiry was a report made by Mr. Binnie (that is, by the engineer to the council) on the 8th October 1890. That was circulated very shortly after it was written, among the members of the water committee, and some time after that, to the members of the council; it is therefore, practically, a public document. It is exceedingly important. It contains a great deal of extremely valuable information.

2971. As Mr. Binnie is going to be called——?—Mr. Binnie is going to be called, I will not attempt to go through it.

Mr. *Bidder.*

2972. Will you allow me to see that?—Yes (*handing same to learned counsel*) *that* is my marked copy.

2973. I am quite content with an unmarked copy, but some of the 5,000 *l.* might have been spent in multiplying printed copies of it?—You need not complain, some day you shall have everything.

2974. I am desirous of having it now.

Mr. *Rickards.*] "*Bis dat qui cito dat,*" Sir Thomas.

Mr. *Moulton.*

2975. You shall have it. (To the *Witness.*) Now, would you go on to say, with regard to the county council, what the next act of the council itself was?—The facts contained in this report appeared so important, that in consultation with the chairman of the council I prepared myself a memorandum, which was circulated to the members of the council, containing extracts I may say, or rather abstracts of certain facts, especially with regard to population and supply of water, which were contained in Mr. Binnie's report.

Mr. *Moulton*—continued.

Chairman.] You had better let the Committee have a few copies of that report of Mr. Binnie's please presently.

Witness.] Both of Mr. Binnie's report and my memorandum. (*The documents were handed in.*) I will not read the figures contained in that memorandum, because I shall have to come to them at a subsequent period of my evidence, but I will read a passage or two from it: "In these circumstances"——

Mr. *Rickards.*

2976. Is this from Mr. Binnie's report?—This is from my memorandum founded on Mr. Binnie's report.

Chairman.] You will have copies of that also for counsel?

Witness.] Certainly; of everything.

Mr. *Bidder.*] I do not want to make you angry by asking you again, but I should like to have these documents.

Witness.] Do not ask me in an angry manner, Mr. Bidder. *This* is a passage in my memorandum: "In these circumstances it is a very pressing question for the inhabitants of London whether the present sources of supply can be relied on, or whether the probability of having to obtain water from fresh sources, either by means of reservoirs in the upper valleys of the Thames and its feeders, or by aqueducts from distant hills in the West of England or Wales should not be fairly faced." That is referring to the Bills of which notice has been given.

Mr. *Bidder.*] I really must ask the Committee to say we ought to have these documents. It is impossible fur us to follow a document like that; we ought to be allowed to have one or two copies while the matter is under discussion; and I ask Sir Thomas, or my learned friend, on behalf of the county council, to let me have a copy of that document, so that I may follow what Sir Thomas is reading.

Witness.] When I have read it, you shall have this.

Mr. *Bidder.*] They should come prepared with their documents, both for counsel and for other parties; it is monstrous that there should be only one single copy of the document.

Mr. *Moulton.*] We will get copies as soon as we possibly can.

Mr. *Bidder.*] We want them now.

Mr. *Moulton.*] Mr. Bidder, kindly allow me to speak. We will send for them and get them as soon as possible. I have assured Mr. Bidder of it two or three times; it is quite impossible to get them in one moment; we will get them as soon as we can.

Chairman.] It would be very desirable, I think, that any documents of that important character, which are going to be referred to, should be as early as possible in the possession of counsel and the Committee when you are referring to them.

Mr. *Moulton.*] Certainly, Sir.

Witness.] I really did not think my memorandum; the memorandum, after referring to the City's Bill, says that the council has given no notice.

2977. Is the memorandum dated so that it may be identified?—It is dated the 5th November. It was originally written for the water committee. It was then revised and circulated to the council.

Mr. *Rigg.*] When was it circulated?

Mr. *Bidder.*] The 5th November 1890, do you say?

Witness.] 5th December.

2978. You said "November"?—The 5th December: "The council has given no notice, and can bring in no Bill, but it can appear in opposition to the above-mentioned Bills. The council has offered to enter into negotiation with the companies, but the replies from the companies are not such as to encourage or render possible further proceedings with such negotiation. The committee are making inquiry concerning fresh sources of supply, but these inquiries are only now commencing. They will probably occupy some time, and it is scarcely possible for the council to present the case for a new supply in a satisfactory manner upon the Bills about to be introduced. These Bills will not be under the control of the council; they will present definite issues, limited by their own notices, to which the committee on the Bills will be restricted, and which will in all probability not embrace all the questions which the council would wish to raise; and the Bills may be altered or may be dropped by their promoters at any moment, without the consent or control of the council. In short, the council will not, in the discussion of these Bills, be in a position to do justice to the subject or to their constituents; and it is probable that such a limited and imperfect mode of discussing the subject would, in the end, only lead to delay. It is further to be remembered, as an important feature in the case, that whilst the City of London Corporation and the vestries have power to bring in Bills for the supply of water, the London county council is, whilst the law remains as at present, expressly prohibited from so doing, either in the present or any future Session of Parliament. There are in contemplation various schemes of great magnitude intimately connected with each other, relating to the River Thames and to the water supply of London. On some of these the Government are pledged to take action, and it will almost inevitably be obliged to take some part in all of them. Indeed, it is out of the question to suppose that anything so important as the reform of the water supply of London could take place without the active intervention and help of the Government. The Government are not likely to be prepared with any definite plan of their own; and are not likely under existing circumstances, and after all that has passed, to pledge themselves to any of the schemes before Parliament. At the same time their desire is no doubt in the main the same as that of the council, viz., to provide the metropolis with an adequate supply of water on the best terms which are compatible with justice to existing interests; and they will no doubt be entirely at one with the council in the desire to throw light on the question of fresh sources of supply. The first and most important question for the council appears to be to determine the course of action it is desirable now to adopt, having regard to all the circumstances; and the committee suggest that the most satisfactory course is to ask the Government to initiate an inquiry on the subject." That circulated, and our chairman, Sir John Lubbock, felt the importance of the question so strongly that he came himself to the committee, and proposed himself the following resolution——

Mr. *Bidder*—continued.

Mr. *Moulton.*

2979. What is the date of this resolution?—This resolution was before the water committee on the 1st December 1870. 1890 ?.

2980. Then I think your memorandum must have been circulated before this date?—Yes, before that. There must be some mistake about the dates. I will have that set right. The fact is there were two prints of it.

2981. This must be the second print, I think?—Yes. I can explain it to you exactly.

Mr. *Bidder.*

2982. I think it is explained on the face of it. There is a note on the face of it: "This is a revise of a memorandum which was circulated amongst members of the committee before the adoption of the recommendation"?—You are right. Then it was revised and circulated amongst the council on the 5th December.

Mr. *Moulton.*

2983. On the 1st December you were saying that in the water committee the chairman of the council, Sir John Lubbock, proposed a resolution. Will you go on with that?—"That in the opinion of the council it is necessary to inquire whether the present sources of supply of water are adequate to the growing demands of the population in quantity and quality, and that Her Majesty's Government be requested to institute an immediate inquiry whether any and what steps should be taken to provide a new and better supply, so that a report may be made thereon in the course of the ensuing Session." That report and resolution were before the council on the 9th December, and it was resolved, without opposition and without objection, that that recommendation be adopted. In consequence of that the following letter was addressed by the chairman of the council to Lord Salisbury: "12th December 1890. My Lord,—The council was authorised by an Act of last Session to make an inquiry into the subject of the London water supply, and was empowered to expend a sum of money not exceeding 5,000 *l.* for this purpose. That inquiry, which has been commenced, has already convinced the council that there are strong *primâ facie* grounds for the belief

Mr. *Moulton*—continued.

belief that the Thames district will not long suffice for the needs of the rapidly growing population, and that an additional supply will soon be imperatively required. The council, however, has no power to call upon the water companies or other independent bodies or persons to assist it in the inqairy, and any conclusions to which it comes will not necessarily be adopted either by such bodies or by the public. The council has, therefore, come to the conclusion that in order to make such an inquiry complete and satisfactory it is desirable that it should be undertaken under the direction and with the aid of Her Majesty's Government. The object of this letter is therefore to request Her Majesty's Government, in accordance with the unanimous resolution of the council, to institute an inquiry whether the present sources of supply of water are adequate in quantity and quality to the growing demands of the population, and whether any and if any what steps should be taken to provide a better supply. I am to add that under the circumstances the council is anxious that no time should be lost, and has therefore expressed a hope that the inquiry which the Government is asked to institute may result in the presentation of a report before the close of the present Session I send for your information a copy of a memorandum laid before the council by the vice-chairman, Sir Thomas Farrer, and of a report by the chief engineer of the council, both of which contain statements and reasons which it is believed will be found on perusal to justfy the course which the council asks the Government to take. Should your Lordship be of opinion that a conference with a few of the members of the council would assist you in forming a judgment on the matter submitted to you, I need hardly say that some of us would be happy to wait upon you. I have the honour to be, my Lord, your most obedient servant, *John Lubbock.*" To that letter a reply was received, dated the 17th December 1890.

2984. I believe that is a mere acknowledgment, is it not?—I will read it: "Sir,—I am directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 12th instant, on behalf of the London county council in reference to the London water supply. In reply, his Lordship desires me to say that the matter shall receive the careful consideration of Her Majesty's Government. I am, sir, your obedient servant, *Sidney Greville.* Sir John Lubbock, Bart." Besides that letter the council have received no communication whatever from Her Majesty's Government. The consequence is that, having requested Her Majesty's Government to undertake this inquiry (which I think the evidence shows is an inquiry which concerns not only the inhabitants of London, but the whole of the country), and the Government having taken no steps in the matter, the London county council have no course but to do the best they can for London. The facts of the case are these: that we know very well that Manchester has already appropriated a large district at the Lakes. Liverpool has already appropriated a large district in North Wales; the Birmingham corporation have plans, and are coming next Session for the appropriation of one

Mr. *Moulton*—continued.

of the best sources of supply in Mid-Wales; and, therefore, if London is not to be behindhand in this unfortunate scramble for water those who represent London have no choice but to come and do the very best they can for London, and to ask Parliament to help them.

2985. I believe that in your opinion the question of the appropriation of these great sources of supply ought to be inquired into by an Imperial Commission, a Royal Commission?—That was always my feeling; and I wish to point out that that was the feeling of the London county council, that this question of the new supply was not undertaken by them as a weapon against the companies, but from a serious sense of the gravity of the position, and of the importance of having this question of the sources of new supply investigated by an independent authority.

2986. Now with regard to the steps that the water committee of the council have taken since then: would you rather go on with that in chronological order?—I think the most convenient plan will now be to state what has been the relation of the London county council to the City on the subject. We have to deal with the City Bill and the City proposals in the first instance, and then we have to deal with what is the main subject of inquiry now, the vestries' Bill.

2987. Will you tell the Committee then the steps the council have taken to ascertain the opinion of the City and the probability of their working with the council?—I should mention that the whole of the circumstances relating to all the Bills before Parliament were laid before the council in an elaborate report of the Parliamentary committee which has been I think published in the newpapers, and which was laid before them on the 10th March or the 13th March. Their recommendations were that there should be a special committee to deal with this particular subject. They ultimately appointed a special committee to deal with those Bills, but it is not worth while going into the long report of the Parliamentary committee upon the Bills. The whole thing has been published; they only state the facts which are already before the Committee. But the report of the Parliamentary committee concluded with these recommendations. On the 13th March they adopted the following recommendations, which concluded this long report: "That, in the event of the London Water Commission Bill and the Metropolis Water Supply Bill being referred to a Select Committee, the Parliamentary committee be instructed to intimate to the Select Committee on behalf of the council that the council approves the principles indicated in the report, and is prepared to undertake the question of the water supply of London, subject to the following conditions: that powers should be conferred on this council for the introduction into Parliament of Bills dealing with the water question, including the establishment of a new supply, and the improvement of the existing supplies should further investigation prove such a course to be desirable, and that the chairman of the council be requested to introduce into Parliament a public Bill with this object with the view of its being referred to

Mr. *Moulton*—continued.

the same committee as the several pending water Bills." That Bill has been prepared, and is in Parliament, but has not yet been referred to the Committee. Then, I think, we had better go to the relations of the council with the City.

2988. If you please?—The decisions of the committee upon the City Bill relieve me of the necessity of going into the merits of that Bill. Since the opinion of the committee was expressed upon that Bill communications have taken place between representatives of the City and the London county council, and it appeared that the two bodies were entirely at one on the cardinal question of treating the question of new sources of supply as the primary question, and that there was also a disposition to agree in joint action generally. Under these circumstances the London county council on the 12th May unanimously passed certain resolutions. I am extremely anxious that the Committee shall understand the whole of the steps taken by the council in conjunction with the City and the endeavours made to get London to act together in this matter; therefore I will read the reports of the water committee and the Parliamentary committee which relate to this supply.

Mr. *Richards.*] What is the date of that?

Witness.] The 4th May is the date of the report of the water committee; the 7th May is the date of the Report of the Parliamentary committee. The report of the water committee is to this effect: "The Select Committee to which the various London Water Supply Bills stand referred, having rejected the Bill promoted by the City corporation, on the ground that no Bill can be satisfactory which merely constitutes a public authority to promote water bills in Parliament, is now considering the Metropolis Water Supply Bill promoted by some of the vestries and district boards. Against this Bill the council has petitioned on various grounds which are fully set out in the report from the Parliamentary committee, which was considered by the council on the 10th March last. Amongst the grounds of objection taken by the council was that the Bill provides for the creation of a new body which is to control the water supply of London, and that this new body or trust is to acquire the undertakings of the several companies supplying London with water at a price which is to be determined by arbitrators to be specially appointed. The objections to the creation of a new authority, and to committing the ratepayers to the purchase of the water companies' undertakings before it has been determined whether the authorised sources of supply of the companies are satisfactory as regards purity and adequate to meet the future requirements of the area supplied were fully set out in the report above referred to. The City corporation are at one with the council in objecting to a compulsory requirement to purchase the companies' undertakings on arbitration terms, and it has been suggested that the council and the corporation should unite in opposing the Bill before the select Committee. It has been represented to us that the corporation will be disposed to support a proposal for placing the control of the London water supply in the hands of the statutory committee of the council, consisting of either 32, 40, or 48 members, on the understanding that one-eighth of the members of the committee are to be nominated by the corporation, leaving seven-eighths to be appointed by the council. We understand it to be also suggested that matters of administrative detail and management should be delegated to this committee, but that all important questions should be referred for the consideration and decision of the council. Some further points have been mentioned, but probably the discussion of these and other questions of detail may be safely left to the committees representing the corporation and the council on the water question. We have come to the conclusion that it will be greatly to the public advantage if the corporation and the council join hands in the attempt to give to London the control of its water supply, and we think that the heads indicated above form a satisfactory basis for joint action. We recommend that the council do agree to act in concert with the Corporation of London on the water question, on the basis indicated in this report." That recommendation was adopted unanimously without a word of objection by anybody in the council. The Parliamentary committee at the same time reported (on the 7th May): "We have had an opportunity of seeing and considering the report of the special committee on water supply and markets, to be presented to the council on the 12th instant, and desire to express our general concurrence in its terms, and in the recommendation made. The report, however, does not point out the manner in which effect shall be given to the committee's recommendation if adopted by the council, and in order to make this clear we recommend: (*a*) That the special sub-committee of the Parliamentary committee on the Water Bills be instructed to negotiate and enter into an agreement with the corporation of the City of London on the following basis: the placing the control of the London water supply in the hands of a statutory committee of the council of moderate size, on the understanding that one-eighth of the members of the committee are to be nominated by the corporation, leaving seven-eighths to be appointed by the council; the details of administration to be left to the statutory committee; but all questions of policy, terms of acquisition of the water companies' undertakings, charges to consumers, and finance to be subject to the control of the council, We further recommend (*b*), That the sub-committee be authorised to submit, through counsel, the result of their negotiations to the Select Committee of the House of Commons which is now considering the Water Bills." That resolution was also passed unanimously without an objection. Then there was a conference.

2989. Since then I believe the heads of agreement; the heads of action I ought to say; on which the corporation and the London county council are agreed in regard to this, have been formulated rather more in detail, have they not?—Yes.

2990. Have any steps been taken to ascertain whether, so far as the outside area is concerned, such principles would be acceptable, as a rule?—There was a conference, I may state, at which these principles were substantially agreed to; and

and when I come to the end of my evidence I shall be happy to state what I believe to be the result.

Mr. *Rickards.*] Would you mind giving me the date of the conference before we pass away from that?

Witness.] Yes.

Mr. *Moulton.*

2991. The 8th May, is it not?—No, it is later than that.

Mr. *Bidder.*] A conference with the City.

Witness.] A conference with the City. In pursuance of this resolution of the council, the sub-committee specially entrusted with this matter had a meeting with the representatives of the City, and they agreed upon certain conclusions. That was on the 13th May.

Mr. *Rickards.*] May I ask what is the meaning of this "29—5—91" on the top of this memorandum?

Mr. *Lawson.*] It means the 29th May 1891.

Witness.] That is the printer's mark.

Mr. *Rickards.*] The date of the conference was the 13th May, was it?

Witness.] The date of the conference was the 13th May.

Mr. *Moulton.*

2992. Would you just take those seven heads which appear at the end of the memorandum, and let me ask you a question or two about them?—This is the memorandum which has been prepared on behalf of the county council, which, I believe, contains substantially what the City and the council are agreed upon as a basis of settlement: "That a committee of the London county council should be constituted whose functions should be defined by statute. (2.) That this committee should consist of 48 members (or some other number devisible by by eight), of whom seven-eighths should be nominated by the London county council and one-eighth by the City of London. (3.) That matters of administrative detail should be delegated absolutely to the committee, but that all important questions should be referred for the consideration and decision of the council. (4.) That the question of the efficiency of the present sources of supply for the future requirements of London and neighbourhood requires further investigation before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies. (5.) That the powers of the council in respect of water supply should at first consist of powers for the purposes indicated in the London County Council (Water Supply, &c.) Bill, and should also include powers for the purchase or leasing by agreement of all or any port of any of the existing water undertakings, or any water or water rights. (6.) That the functions of the council and of the committee should extend to the supply of water throughout the whole district of supply (whether within or without the administrative county of London) of any metropolitan water company whose undertaking may be purchased. (7.) In the event of the undertaking of any metropolitan water

Mr. *Moulton*—continued.

company being purchased, any local authority outside the London county boundary, and within the area of supply of such company, should have the option either (1) of purchasing on suitable terms so much of the works of distribution as is appropriated to the district of such local authority, with the right to a supply of water in bulk from the London council on terms to be arranged; or (2) of having water supplied direct by the London county council."

2993. Those principles, you have told us, are acceptable to London, both to the corporation and the London county council, and you believe they would be generally supported by the inhabitants of the outside areas?—Yes.

2994. Is that compatible with the principles of the Bill now before the Committee?—May I say one word about the outside areas?

2995. We will come to that directly?—We will come to that presently; yes, because there is something more to be said about the outside areas. Those principles are entirely incompatible with what we may call the Vestries' Bill.

2996. Now would you point out the essential differences between the two?—In the first place the arrangement with the City proceeds upon the principle of disturbing as little as circumstances permit the present governing bodies of London, of uniting the two bodies which now, I may say, share the government of London between them, the City corporation and the London county council. The Vestries' Bill, on the other hand, proceeds on the principle of creating a large new independent governing body elected by a different constituency from a different area. That is the first great difference.

2997. Now the second?—The second great difference is connected with the first, that the plan of the council and the City bases the future financial management upon the existing county fund of Londen; whereas the Vestries Bill creates an entirely new fund, puts together rating authorities which have now nothing to do with one another, and introduces very considerable confusion in finance. The third, and perhaps the most important difference is that the Vestries Bill contemplates immediate and compulsory purchase, without previous investigation into the question of new sources of supply. Those are, generally speaking, the essential differences between the council plan and the plan of the Vestries Bill.

2998. Is not there a fourth one with regard to the ultimate management of the water supply in the outside areas?—Yes, there is. With regard to supplying the outside areas, the wish of the council and of the City is that the outside areas should be as independent as possible. The council have no wish, and I believe the City have no wish, to extend their jurisdiction beyond their own area. It is only because, if they buy the companies which now supply those outside areas, they come under a certain obligation (they could not leave those areas without a water supply); but I may say, in addition to what I have read from this memorandum, that I believe that the council and the City would be perfectly willing to make any arrangements with those outside areas which should leave them in the management of their own

Mr. *Moulton*—continued.

water supply, provided that arrangement did not cripple the supply of London, and provided those outside areas paid their fair share of the expense of any part of the undertaking which might be conveyed to them.

2999. Such a policy would leave the supply in the outside areas in the hands of the sanitary authorities?—That would be the desire of the council if those sanitary authorities wished to undertake it.

3000. And do you think that in many cases they would wish it?—At far as I can gather from the communications we have had with them I think they would.

3001. Do you think it would be desirable, if they wished it and it could be effected, that their wish should be carried out?—Most distinctly. I can state most distinctly that the council have no wish, provided they can secure the supply to London, to exercise jurisdiction in the outside areas at all. Mr. Cripps has had much more communication with them than I have had. I will give the Committee presently what our dealings with these outside people have been.

3002. Do you see any advantage in perpetuating as one area the almost casually created area which is now covered by the eight companies? No, I see no advantage in it at all. I think it very much better to adopt the plan which has been adopted in most places of letting the municipal authority manage the water supply for its own area.

3003. Do you think that the propositions of the Bill now before the Committee really represent the wish even of the vestries in London; have any communications been made with them?—I very much doubt it. Of course, I am not in the secrets of the preparation of this Bill, but so far as I can judge I do not believe that it does represent the views of the majority of the vestries. The history of the Bill is shortly this: It originated in a meeting on the 19th June 1890, at which, apparently 32 out of the 40 vestries and district boards were represented. That meeting only passed a resolution requesting the Government to introduce a Bill enabling the London county council or some other representative body to acquire the present water undertakings or to establish a new supply. That was the commencement of the agitation, at which the great number of those persons were represented. Then there was a subsequent meeting called to prepare a Bill at which only 23 of the vestries appointed members. Some of these withdrew before the end of the year; and it appears that when the Bill was introduced, 17 only out of the 23 were represented on the committee, and that 15 out of the 40 have expressed resolutions in favour of the Bill (this is the evidence of the promoters), and two others with the qualification that the London county council should be the authority, while eight have expressed an adverse opinion. That is Mr. Wilkins' evidence.

3004. And I believe that at the time when this approval of the Bill was indicated. there was a power for the London county council to make itself the water company?—Those clauses were apparently added in order to obtain the assent of certain vestries who desired that the London county council should be the authority, but they

Mr. *Moulton*—continued.

fit on extremely badly to the rest of the Bill, and they been apparently dropped since. I should like to add that the council was extremely anxious that this plan should be thoroughly well ventilated, and the promoters of this Bill asked the London county council to allow them the use of their hall for a meeting, at which the Bill should be discussed, which the council gladly did. They did not take note in any of the proceedings. I understand they were rather chaotic; and I do not think anything except some very general resolution was passed. Nothing whatever that could indicate any general approval, on the part of the vestries of the Bill.

3005. However, you prefer to leave to Mr. Cripps the statement of the detail steps that have been taken by the London county council to ascertain the views of the vestries?—Yes; but I should just mention that the council themselves, independently of Mr. Cripps, sent a circular to the vestries, asking them their opinion. They have obtained replies, but a great number of them have not answered at all, which does not look as if they felt very warmly upon the subject of the promotion. The majority are adverse. I think the majority of the answers we have received are adverse to the bill. Mr. Cripps will give them in greater detail, for he has received some answers since the council obtained their's, and he will put in a complete list of those answers.

3006. Now with regard to the London county council itself, as representing London, what is the feeling on the council itself?—I have shown you that the council, was anxious in the first instance to arrange with the companies. The council are now perfectly unanimous in the opinion that the question of new supply must take precedence of the question of purchase; and I may say that they are also quite unanimous upon the other points contained in that memorandum which I have read.

Mr. *Bidder.*

3007. Is that unamity of the council expressed in some resolution?—It was expressed in those resolutions that I have already put before you.

3008. The opinion of the council as a council must be expressed in a resalution; you say that the council are unanimous that the question of new supply should take precedence. I should like to see the resolution which embodies that unanimity?

Mr. *Richards.*] So should I.

Chairman.] I understood it had been carried by the adoption of the report of the Parliamentary committee.

Witness.] That is so. The report of the Parliamentary committee states that; I did not read it at length.

Mr. *Russell Griffiths.*] You will put in your report.

Witness.] Yes.

Mr. *Moulton.*] Have you a copy there?

Mr. *Bristowe.*] It is in the fourth paragraph, is it not?

Mr. *Bidder.*] We cannot accept the report of any committee of the council as expressing the unanimous

unanimous determination of the council itself, unless it appears that that report is adopted by the council.

Chairman.] As I understood, Sir Thomas Farrer stated that the report which embodied this particular part of the scheme was adopted unanimously by the council.

Witness.] That is so.

Mr. *Bidder.*

3009. I do not follow that I am at a great disadvantage from the fact that I have none of these documents. Nobody has been able to follow Sir Thomas in his evidence in these matters; and very possibly we may have gone wrong in consequence of not having these documents in print. Do we rightly understand, as the Chairman has said, that the council unanimously adopted a report of the Parliamentary committee containing that statement?—On the 12th February the Parliamentary committee made an elaborate report which practically adopted it.

3010. "Practically?"—Yes, the principals which I have laid down.

3011. Is that report adopted by the council?—I will give you the whole proceedings. This is the end of the report. "The ultimate conclusions at which we have arrived, and which we recommend for adoption, are as follows:—(1.) That the opposition to the London Water Commission Bill be continued, and that the Metropolis Water Supply Bill be opposed. (2.) That in the event of these Bills being referred to a Select Committee we should be instructed to intimate to the Committee on behalf of the council that this council approves the principles indicated in this report and is prepared to undertake the question of the water supply of London subject to the following conditions:—That powers should be conferred on this council for the introduction into Parliament of Bills dealing with the water question, including the establishment of a new supply, and the improvement of the existing supplies, should further investigation prove such a course to be desirable, and that the chairman of the council be requested to introduce into Parliament a public Bill with this object, with the view of its being referred to the same Committee as the several pending water Bills."

Mr. *Richards.*] One minute, if you will excuse my interrupting you: what is the date of that report? Is that the original report or the report since you have had communicatious with the Corporation of London.

Witness.] This is before, at least before any practical result came from the communications.

Mr. *Bidder.*] The 12th February. That which Sir Thomas reads does not embody the statement.

Mr. *Moulton.*

3012. If you will kindly wait one minute, Mr. Bidder, I am going on one step further. (To the *Witness.*) Did that come before the special committee on the 4th May 1891, or rather did a further report come before the committee headed "Water Bills now before Parliament"; would you just read that. Does that refer to the question?—On the 4th May 1891, the special committee on water supply made a report which I have read. That report contained these words: "Amongst the grounds of objection taken by the council was that the Bill provides for the creation of a new body which is to control the water supply of London, and that this new body or trust is to acquire the undertakings of the several companies supplying London with water, at a price which is to be determined by arbitrators to be specially appointed. The objections to the creation of a new authority, and to committing the ratepayers to the purchase of the water companies' undertakings before it has been determined whether the authorised sources of supply of the companies are satisfactory as regards purity, and adequate to meet the future requirements of the area supplied, were fully set out in the report above referred to." That is in the long report which I have read to you. "The City corporation are at one with the council in objecting to a compulsory requirement to purchase the companies' undertakings on arbitration terms, and it has been suggested that the council and the corporation should unite in opposing the Bill before the Select Committee." That report, you see, distinctly states that the council object.

Mr. *Bidder.*] That is the report of the special committee; that is not a report of the council; that is not a resolution of the council.

Witness.] If you will wait a moment, my account, Mr. Bidder, you will see: That resolution was brought before the council on the 12th May with this recommendation: "That the council do agree to act in concert with the Corporation of London on the water question on the basis indicated in this report"; and it was resolved, "That the report be received and that the recommendation be adopted"; and there was not a word raised in opposition to that, for I was in the chair myself.

Mr. *Rickards.*

3013. I beg your pardon; in the chair of what, of the whole council or of the committee?—I was in the chair of the council.

Mr. *Bidder.*] Then I understand the resolution of the council is to act in concert with the City on the basis of that report?

Witness.] Yes.

Mr. *Moulton.*

3014. I do not know whether you have taken part yourself in the negociations with the City?—Yes, I was present.

3015. Passing to the Bill that is now before the Committee?——

Mr. *Russell Griffiths.*

3016. Sir Thomas Farrar has spoken of the 12th of May, I understand?—That was on the 12th of May, yes.

3017. On the 13th of May there was an agreement between the corporation and the council?—There had been communications between the sub-committee of the Parliamentary committee and the City before that. Those communications had led to these conclusions: that is, the conclusions were embodied in a general form in this report

Mr. *Russell Griffiths*—continued.

report of the water committee, and also in a report of the Parliamentary committee; they were adopted; consequently the Parliamentary committee was authorised to proceed with the negociations with the City.

3018. On the 13th of May there was an agreement?—Yes.

3019. That is an agreement which it would be convenient to put in before we go away from it.

Mr. *Rickards.*] Yes; I also want that in.

Witness.] I was going to put it in. Shall I read it?

Mr. *Moulton.*] Yes; will you first see what it is?

Mr. *Rickards.*] Can you let me have a copy, Mr. Griffiths.

Mr. *Moulton* (to the *Witness*).] Will you just say what it is.

Chairman.] Is it the same as these set out in the memorandum of the county council?

Witness.] The memorandum rather sets out what I may call the aggregate result, the actual terms.

Mr. *Moulton.*

3020. Were the actual terms ever reduced to writing?—Yes; they were reduced to writing.

Mr. *Russell Griffiths.*] And signed?

Witness.] But I think they do not contain anything upon the question of new supply. Upon that there never was any question; the City and the council were so entirely at one about that that there was no necessity to negotiate about it.

Mr. *Moulton.*

3021. You yourself took part in the negotiations?—I personally took part in them.

3022. With regard to representatives of the London county council and the City, was there any difference whatever on that point?—None whatever.

3023. It was taken as agreed from the first?—The negotiations, of course, took place principally upon the representation of the City, and how the two bodies should come together.

3024. That, I believe, was a point on which it was anticipated there might be some difficulty?—There might be some difficulty, but this was the second condition that was put down in the room, "Power to the committee," that is, to this joint committee of the council and the City, "to promote Bills which may be approved by the London county council, first, a new supply of water; secondly, purchase; thirdly, or both."

Chairman.] It would be convenient if we had copies of that agreement, I think.

Witness.] Shall I read this agreement?

Chairman.] Probably if we have a copy of the agreement afterwards, that will be sufficient.

Mr. *Bolton.*] We should like to see the agreement itself.

Witness.] You shall have it; I will put it in.

Mr. *Russell Griffiths.*] You would like to see the agreement itself, Sir.

Mr. *Bolton.*] Certainly.

Witness.] I wish to guard myself in putting it in from being supposed to suggest that it contains everything.

3025. It only dealt with points on which there was a difference of opinion?—Quite so.

Mr. *Russell Griffiths.*] It speaks for itself.

Mr. *Bidder.*] It will not be supposed to contain anything that is not in it.

Witness.] No; but I do not wish you to suppose that it contains everything.

Mr. *Rickards.*] The date of it is the 14th of May, is it not?

Mr. *Russell Griffiths.*] The 13th of May.

Witness.] The 13th of May.

Mr. *Moulton.*

3026. Are these the heads?—Yes; I do not think it has ever been put into print.

2027. We had perhaps better read those out then: "At a conference between the members of the county purposes committee of the corporation, and the special committee of the London county council it was agreed to instruct counsel as follows: (1.) Appoint a water committee as hereinafter defined, viz., seven-eighths to be appointed periodically by, and to be members of the London county council, one-eighth fit and proper persons by the corporation. To be a statutory committee, and a committee of the London county council. (2.) Power to committee to promote Bills which may be approved of by the London county council for (a) new supply of water, (b) purchase, (c) or both. (3.) To take a limit of time, if forced so to do. (4.) Charge the costs of Act and administration of committee and of promotion on general county rate. (5.) To legislate as to committee this year, if possible. (6.) The supply of water in each district in the metropolitan water area outside the boundary of the county of London"——

Mr. *Littler.*] No. 6 is this in my copy: "If impossible, corporation and London county council to promote Bills next year on these lines, the expense of such Bills to be borne by the corporation in case Bills do not pass."

Mr. *Moulton.*] That is not in my copy.

Witness.] I know that was discussed; it is of no importance.

Mr. *Littler.*] I think it is of importance that the Committee should know the whole proposal.

Chairman.] The whole agreement we want, not the "proposal."

Mr. *Bolton.*] Where is the agreement itself?

Mr. *Rickards.*] Here it is, Sir, or a copy of it.

Mr. *Murdoch.*] What is Mr. Moulton reading? Are you reading the agreement, or merely the proposal?

Mr. *Moulton.*] I understood from Sir Thomas that this was the agreement.

Mr. *Murdoch.*] We should like to know that.

Witness.] I understood that myself.

Mr. *Littler.*] There is only one clause left out.

Mr. *Bolton.*] Where is the original document?

Mr.

Mr. *Moulton.*] It is a mistake in drafting, that is all.

Mr. *Rickards.*] This is a memorandum of the agreement.

Mr. *Moulton.*] I do not believe there is any original document of any kind; but, Sir Thomas, you were present?

Mr. *Bidder.*] There is no original, do you say?

Mr. *Moulton.*] Will you kindly say what happened?

Mr. *Bidder.*] Wait one moment. We are told there is an agreement in writing; there must be the original document.

Mr. *Rickards.*] Here is a report of it.

Witness.] There is no difference between us; I entirely accept that clause.

Mr. *Littler.*] Quite right.

Mr. *Moulton.*] Your 7 is the same as my 6.

Witness.] It is of no importance.

3028-9. "(7.) The supply of water in each district in the metropolitan water area outside the boundary of the county of London to be as far as practicable in the hands of the local authority of each district, and within the county of London in the hands of the said statutory committee. (8.) The committee to have full power over details, but questions of principle and policy to be reserved to the London county council?" —Yes.

3030. Those were discussed, then, but just let us have it quite clearly; was any document formally initialled or signed in any way, to the best of your memory?—I do not think there was; I do not know whether I remained quite to the end, but I know that what you have read was agreed upon.

3031. With regard to something which from some other copy has been read, is that a point on which you were agreed?—It is a point that was mentioned, but I cannot call to memory whether it was actually agreed upon or not; but there would be no difference between us about it, none whatever.

3032. As to my formal agreement having been entered into or signed, was that done to the best of your knowledge?—I do not remember its being done.

3033. It was the assertion of an agreement of opinion, I believe, between the two bodies?—It was.

Mr. *Bristowe.*] Mr. Moulton, can you say what was the meaning of stating in that document that the City should appoint "fit and proper persons?' It does not say so with regard to the county council. I am not joking about this, but I want to know whether it is meant?

Mr. *Littler.*] They were scarcely rude enough to sell them.

Mr. *Bristowe.*] The City authorities were to appoint their members, "fit and proper persons."

Mr. *Littler.*] These people in the London county council are to appoint members of the London county council, and it would have been rather rude to them to suggest that they were not "fit and proper persons."

Mr. *Bristowe.*] What does it mean?

Mr. *Moulton.*] The City were, or might be, opposed to the London county council as far as this memorandum goes.

Mr. *Littler.*] No, no, Mr. Moulton; that is not so.

Mr. *Bristowe.*] Did it mean to say that they should be members of the common council of London?

Mr. *Moulton.*] It did not prevent it.

Mr. *Littler.*] If the honourable Member will allow me, we did not consider we were putting a slur on our common council in saying that they were to be fit and proper persons, but that they were to be at liberty to select someone they thought still more suitable, such as an engineer of eminence, or something of that kind. We expressly reserved to ourselves the right of going beyond the corporation.

Mr. *Moulton.*] In one case it is addressed to members of the London county council; in the othe case it is left open; but they are to be "fit and proper persons."

Witness.] I am quite sure there was no intention on the part of the London county council to throw any slur upon the City; and I think I should mention that there is some difference of opinion, I believe, still, as to whether the members appointed by the council should be members of the council, or not. That is a point that is still open for discussion.

3034. Or whether they should have the same liberty that the corporation have?—Yes.

Mr. *Bidder.*] I suppose, of course, this will be put upon the Notes.

Chairman.] Yes, I think it should appear upon the Notes.

Mr. *Littler.*] I have no objection to the whole of it going in.

Mr. *Bidder.*] The heads of the conference. It will be best if you hand in to the shorthand writer a copy. It is on page 3 (the eight heads) of the memorandum dated the 13th of May; then then we shall get it properly on the Notes. (*The document was handed in, and is as follows*):—

"At a conference between the members of the county purposes committee of the corporation and the special committee of the London county council, it was agreed to instruct counsel as follows:—

1. Appoint a water committee as hereinafter defined, viz., seven-eighths to be appointed periodically by, and to be members of, the London county council, and one-eighth fit and proper persons by the corporation. To be a statutory committee, and a committee of the London county council.
2. Power to the Commitfee to promote Bills which may be approved by the London county council for (*a*) new supply of water, (*b*) purchase, (*c*) or both.
3. To take a limit of time if forced to do so.
4. Charge the costs of Act and administration of Committee and of promotion on general county rate.

5. To legislate as to committee this year, if possible.
6. If impossible, corporation and London council to promote Bills next year on these lines, the expense of such Bills to be borne by the corporation in case Bills do not pass.
7. The supply of water in each district in the metropolitan water area, outside the boundary of the county of London, to be as far as practicable in the hands of the local authority of each district, and within the county of London in the hands of said statutory committee.
8. The committee to have full power over details, but questions of principle and policy to be reserved to the London county council. 13th May 1891."

Witness.] May I say with respect to that money clause that we, of course, hope that Parliament would free the council from the present restrictions under which they lie, and would enable us to spend money in promoting Bills of this kind; but the City, fortunately, have the power to spend money upon them without coming to Parliament, and therefore there was a reason for the City coming to the assistance of the council if they should not obtain the requisite powers from Parliament.

Mr. *Moulton.*

3035. I believe there was no difficulty at all upon that from the first?—No difficulty whatever; it showed the goodwill of the City.

Mr. *Bidder.*] Before you leave that, Mr. Moulton, we had better have it in order. Was that agreement confirmed by the London county council?

Mr. *Moulton.*] Has that been before the council or not?

Mr. *Bidder.*] Has it ever been before the council?

Mr. *Moulton.*] We say it was carrying out instructions.

Witness.] No; the authority was given to the committee to enter into these negotiations, and to represent the result of those negotiations to this Committee.

Mr. *Rickards.*] When was the authority given?

Mr. *Bidder.*

3036. Perhaps you will give us that resolution which gave authority to the water committee to enter into that arrangement?—Yes; that is what I read to you before; I read to you, when you questioned what the council had done upon the question of a new supply, the report of the water committee; There was also a report of the Parliamentary committee. The Parliamentary committee is the committee which has the charge of proceedings of this kind, and the Parliamentary committee reported on the 7th of May; and they refer to the report of the water committee; and they recommended: "That the special sub-committee of the Parliamentary committee on the Water Bills be instructed to negotiate and enter into an agreement with the

Mr. *Bidder*—continued.

Corporation of the City of London on the following basis: the placing of the control of the London water supply in the hands of a statutory committee of the council, of moderate size, on the understanding that one-eighth of the members of the committee are to be nominated by the corporation, leaving seven-eighths to be appointed by the council; the details of administration to be left to the statutory committee, but all questions of policy, terms of acquisition of the water companies' undertakings, charges to consumers, and finance, to be subject to the control of the council. We further recommend that the sub-committee be authorised to submit, through counsel, the result of their negotiations to the Select Committee of the House of Commons which is now considering the water Bills." We were, therefore, made plenipotentiaries for that purpose, and that was, as I say, adopted without one word of opposition in the council.

Mr. *Moulton.*

3037. And in your opinion the proposals made to the committee were within the scope of that authority?—Yes.

3038. In order to make the matter clearer, will you just explain to the Committee the course of procedure with regard to the proceedings of sub-committees, and the reports that they make. Is notice given of those to the members of the council before they come on for discussion?—Distinctly; the process is this: that the Committee makes its report——

Mr. *Lawson.*

3039. Are these committees or sub-committees, you said "sub-committees"?—The sub-committee makes its report to the head committee. Perhaps I should explain that in this case, the matter was considered of so much importance, and to involve the business of various committees that a special sub-committee was appointed with the authority of the council, appointed by the water committee, the finance committee, and the Parliamentary committee. The committee was specially chosen to deal with this water subject; they report to the Parliamentary committee, the Parliamentary committee report to the council, and everything that is done, that is to have the authority of the council, comes in that way before the council, and is printed and circulated three or four days before the council give their opinion upon it.

Mr. *Moulton.*

3040. And I believe it is entered on the agenda paper, so that it is known when it will come on?—On the Saturday everybody receives the reports of the committees which are to be discussed on the following Tuesday, and has the opportunity of reading and considering them.

3041. So far as regards London, you have dealt with the question of their agreement; now with regard to the outside areas, have the London county council tried to obtain knowledge of their feeling on the subject?—Yes, the London county council have endeavoured to communicate both in this Committee-room, through their agent, and otherwise, with the outside

Mr. *Moulton*—continued.

outside district. In addition to that, on the 8th of May they invited representatives of those outside districts to attend, and representatives from councils, local boards, and water authorities of the following places attended and conferred with the chairman and with the Parliamentary committee of the London county council: The Middlesex county council. Tottenham, Hornsey, Uxbridge, Richmond, Bromley, Beckenham, West Kent Board, Watford, Molesey, Southgate, Dartford, Walthamstow, and East Ham. There was a very harmonious conference.

Mr. *Rickards.*

3042. What is the total number, please, of these outside authorities?—I do not wish to be too specific about this, because the meeting was hastily assembled. We got together what persons we could, and I should be sorry to state that the representations of all those places were such as to absolutely bind them.

3043. Would you mind giving the numerical number?——

Mr. *Bidder.*

3044. Have you any record of the proceedings of that conference?—Yes, we have the shorthand notes of it.

3045. May we have a copy?—Certainly.

Mr. *Rickards.*

3046. Would you give me the numerical number before you go any further, please?—Fourteen.

3047. Can you tell me now, in order to get the question done with, how many you sent letters to?—No. I would rather refer to, if you will allow me, to Mr. Cripps, who will give you more recent information than I can give you.

3048. Or how many there are outside altogether?——

Mr. *Moulton* (to the *Witness*).] I think they are mainly those that they have had an opportunity of meeting in the Committee-room?—Yes; quite so.

3049. There was no time, I believe, formally to summon a conference?—No.

Mr. *Rickards.*

3050. The petitioners against the Bill, in fact?—The petitioners against the Bill.

3051. Who either appear or do not appear by counsel?—Quite so; mostly those who have been in this room. Then I will read you the resolutions that were passed at that meeting *valeat quantum.* I am only anxious not to appear to bind persons by what was rather an informal proceeding. It was an endeavour rather to ascertain their views than to bind them to any agreement. It was not an agreement such as was made with the City. These are the resolutions proposed at that meeting and passed unanimously: "(1.) That the system of water management and distribution as generally adopted at the principal provincial towns would be preferable for application to London and neighbourhood, rather than the establishment of a Water Trust as proposed by the pending Bill. (2.) That the question of the efficiency of the present

Mr. *Rickards*—continued.

sources of supply for the future requirements of London and neighbourhood, must be adequately investigated before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies. (3.) That the supply of water in each district in the metropolitan water area, outside the boundary of the county of London, should be as far as practicable in the hands of the local authority of such district, and within the county of London in the hands of the London county council." Those were passed, so far as that meeting was concerned, unanimously. There were certain further resolutions propesed, which were rather resolutions binding the council as to the mode of supplying water to these outside districts, as to which the gentlemen present wished to have further time for consideration.

3052. Would you mind letting me look at that print?—You shall have one. Mr. Cripps will give you one. (*The same was handed to the learned Counsel.*)

3053. Thank you?—Then, in addition to that wegot a note from Sir Richard Nicholson on behalf of the Hertfordshire county council. He was unable to attend, but wrote on the 8th of May to say that the Hertfordshire county council would, in his opinion, agree to the second of the resolutions, that is the one which says that the new supply is a thing to be inquired into before a purchase can be effected. Croydon and West Ham wrote to reserve their opinions; and I should tell you that Mr. Cripps has had some further communications with these bodies, which he will give you.

Mr. *Moulton.*

3054. The general effect, in your opinion, is to show that the principles now proposed as a basis by the London county council would, if properly carried out, be acceptable to the outside areas?—On the whole, I think so. It struck me, to give the exact impression upon my mind, that what these outside areas really wanted was to manage their own water, as far as possible, in which the council were quite willing to join them. It was obvious that very different questions would arise with different local authorities; for instance, the Kent Company goes far into Kent, and they were anxious to have the wells and sources of supply, as well as the machinery of distribution, in their own hands. That is a matter that will raise a serious question; one which I think need not be attended with any difficulty of principle. It is quite clear that the London council, or whoever it is that manages this water supply, will not give up any of the sources which are at present in the hands of the water companies, which are necessary for supplying London with water; but if there are sources of supply, such as the wells in Kent, which are at present used for a special district, and that district chooses to purchase those wells at a fair valuation, and pay the fair price to the Kent Company, I do not see anything that should prevent the London council or this new committee from handing over those wells to that district. Of course the new body could not think of handing over the Amwell Springs, or the Thames to the outside districts;

Mr. *Moulton*—continued.

but, generally, it must be a matter of arrangement with each of those districts, and it will generally turn into a matter of payment.

3055. With regard to the local circumstances of each particular case, you would prefer to leave that to Mr. Cripps to state what he has learnt as to their views?—What he has learnt as to their views, yes; but I wish to state emphatically that I think they were, as far as I could find out, distinctly opposed to the principles of the vestries' Bill.

Mr. *Rickards.*

3056. Well, they are petitioning against it?—Yes.

Mr. *Moulton.*

3057. Now with regard to your views as to that Bill, I wish to take you a little more into detail as to your objections to it. I will take first the question of the constitution of the trust. In your opinion will it be satisfactory to introduce a body of that organization and that jurisdiction into the question?—I think that it is very undesirable, especially when a step has been made towards unity of organization in London by the establishment of the county council, to introduce a new organization, a new election, and a new element of confusion. The confusion will be very great since new elective areas, new registrations, and new jurisdictions have to be created in order to adapt the trust to the special areas of the present water companies. In 13 cases, I think, the areas are new and correspond with no existing elective areas.

Mr. *Rickards.*

3058. Excuse me interrupting you. Are you speaking now of the Bill as it was before Rickmansworth and Leatherhead were struck out, or since that has taken place?—I shall omit everything that I had to say about Rickmansworth and Leatherhead

3059. But those new elective areas; excuse my interruping you; would they be created after the withdrawal of the Rickmansworth and Leatherhead?—That I cannot tell you.

3060. You have taken the Bill as it originally was?—Yes; I do not know what you are going to do in consequence of that.

3061. We are simply going to strike these out of the schedule?—I have no knowledge of that. I take the Bill as it stands.

Mr. *Moulton.*

3062. Do you see any compensation in increased strength for all that difficulty and conclusion?—No. It seems to me this would be a particularly weak commission; it would be a perfectly new organisation of persons brought together from districts which have no natural connection with each other. It would be a very weak organisation; it would be opposed by the companies, who are united, experienced, deeply interested, well informed and wealthy. The commission would be new, ill-organised, inexperienced, ill-informed, and ill-equiped, and in this condition it would be compelled at once, without any weapons in its hands to fight the companies on the very difficult question of the terms of purchase.

Mr. *Moulton*—continued.

3063. You are speaking of the objections to the Bill which is now before the Committee; will you just deal with the financial objections?—The financial objections to this Bill seem to me to be very strong. The purchase of the companies is to be effected by giving to the present shareholders new water stock. This stock is to be raised on the credit of the water rents now levied by the companies, which are to be transferred to the new trust as soon as the purchase is effected, and also on the cretit of rates, to be raised without limit by the new trust throughout the present area of the water companies. These rates are to be levied either by a precept of the trust to the existing rating authorities, or by means of their own rate collectors. Now that is the financial scheme generally.

Mr. *Rickards.*] I am very sorry to interrupt you, but you have left out a very important security: that is the undertakings themselves.

Mr. *Muolton.*] Those are "rents."

Mr. *Rickards.*] No, they are not.

Witness.] I said "the credit of the water rents."

Mr. *Rickards.*

3064. Yes, and there are salso the waterworks?—The waterworks are only of value as producing water rents.

3065. They are a very substantial security.

Mr. *Bidder.*] In the New River Company there are some millions of real property.

Mr. *Moulton.*] Which would have to be paid for.

Witness.] Provided that real property is included in the transfer. I do not know whether it is or not, but I am speaking generally now and not with reference to the New River Company; the general security is the water rents. It is a going concern, and it is the income of the concern in the shape of water rents that forms the recurity.

Mr. *Rickards.*] And the undertaking.

Mr. *Moulton.*

3066. If you have to resort to the value of the buildings, &c., it would imply that it was not a going concern?—Sold as land, and bricks, and iron.

3067. Excepting in the case, of course, of the property of the New River Company?—Quite so.

3068. What are the difficulties which you see with regard to this scheme?—In the first place it is undesirable, considering the multitude of rating athorities already existing within the districts in question, to add to them another, with functions wider in area at any rate than those which any of those bodies now possess. The second objection is that the proposal to create a new form of metropolitan debt in the form of a Water Stock secured by its own special system of water rents and special rates, even supposing it to be workable, is not likely to be economical or advantageous. The success of the finance of Metropolitan Board (which was considerable) and of the present financial system of the London county council, and the low interest at which they

Mr. *Moulton*—continued.

they can borrow (I believe if you will look through the Investor's Monthly Manual you will find that there is no stock which stands so well in the market as Metropolitan Stock except the British funds) is due to the fact that they have pursued the wise policy of consolidating into one metropolitan stock all, or almost all, of the debts of the different public authorities of London. The scheme proposed by this Bill infringes this policy, and instead of consolidating metropolitan debt raised on the security of London property, divides, distributes, and weakens the security. The new stock will probably be raised on less good terms than Metropolitan Stock, and may very possibly injure that stock, may be said that it will not be thrown on the market, but it will be handed over to the shareholders of the companies. But of course they will have the option of throwing it upon the market, and will probably in the course of time do so. Thirdly, it is not easy to see how a central body, such as the Water Trust, can levy a rate aid on districts which do not now form rating areas. The London county council or the London school board can raise the aggregate sum they require, and they can distribute it among the different districts of London, because the proportionate rateable value of each of those districts is ascertained; but in the case of the water trusts, the areas they have to rate are in many cases portions of counties, or of parishes, and even, I believe in some cases, of wards of parishes, of which portions the aggregate rateable value is not ascertained. Consequently, supposing that there was a deficiency in the water rents and you had to recur to the rates, it is difficult to see how the supplemental rate is to raised or made available.

3069. In your opinion is it advisable or even practicable to levy a rate over areas in which there are quite different rating authorities; is that likely to lead to injustice?—I think so, and especially in the case of London. We have very great difficulties even within the metropolitan area; the area included within the Metropolis Valuation Act; there are very great difficulties in being assured that the valuation is conducted upon the same principle throughout, which is, of course, a very important thing; and we are at present in very serious and disagreeable legislation upon that subject. Here you have a number of areas which are not subject to the Metropolitan Valuation Act, and it is very possible that the basis of assessment may differ in these different areas. In that case, supposing the basis of valuation to be lower in one area than in an another area, that area will escape too cheaply. I think the probability is that the effect of the Metropolis Valuation Act has been to screw up the valuations of London, in which case a rate levied over the whole of this area (a rate in aid, so much in the £.) would fall more heavily upon the metropolitan area than it would upon the outside districts. I cannot tell how that may be, but there is no security whatever that the valuation shall be the same in the different areas.

3070. Under these circumstances what do you think would be the true security for the new water stock?—As far as I can judge, with the difficulties of raising rates that exist, the real security would be the water rents; that is, the rents which the companies have now the power to levy, the water rates or water rents, whichever you choose to call them. There is a clause in the Bill which says that the new trust is to equalise and alter those; but if you are to have this enormous charge upon those rents, and if there is really no satisfactory additional security in the way of rates, I do not very well see how the new water trust can alter, and certainly I do not see any way in which they can diminish the existing water rents. All those objections seem to me to be, I think, fatal objections to the plan proposed in this Bill.

3071. Do you see any reason why all the districts should under all circumstance have equal rates or equal water rents; are the circumstances of the districts, in your opinion, the same?—That would require the very greatest care on the part of the water authority. In some places the water may be more expensive than it is in others. We know very well that the charges of the different companies now vary considerably. How far that is justified by circumstances I do not know; and it is very possible that the result of putting them all into the hands of one central authority might be to produce greater equality; but to say that they are to be equal throughout the whole area is a great deal more than we are prepared for.

3072. Now with regard to the provisions as to assessing compensation, what have you to say?—I observe that those clauses are taken, as a great many other of the clauses are taken, from Lord Cross's Bill of 1880, and are ill adopted. It has been stated, I think by Mr. Wilkins, that they are taken from the Civil Service scale. I do not think that is so. I think these compensations are very considerably larger than those which would be given in the Civil Service.

Mr. *Rickards.*

3073. Are you speaking of compensation to to companies or to officers?—To officers. I think it is a mistake. I quote from a Board of Trade comparison of how the two scales would work. It is not a matter of great importance, but I think it is just worth while to state it. The compensations are considerably larger than those that would be given in the Civil Service. I put in the comparative scale. (*The document was handed in*, vide *Appendix* A.)

3074. Will you let me see that (*the document was handed to the learned Counsel*).

Mr. *Moulton.*

3074. As to the intention to compel the immediate purchase of the company's undertakings, will you give the Committee your views with regard to that?—That apparently is the object of the Bill. I think it sufficiently appears upon the face of the Bill, and from the evidence which has been given it is distinctly stated by the Promoters of the Bill to be their object. It is true that there is in Clause 8 a statement that the trust may obtain a supply of water from new and independent sources; but it is quite clear from what has been said that that supply is to be supplemental, and not competitive; in fact, to come into operation when the purchase is effected. These

Mr. *Moulton*—continued.

are the terms, as far as I understand them: the trust is to offer to buy the companies within two years, and if terms are not agreed, then terms are to be settled by arbitration. The arbitrators are to be four in number, and are to be appointed by the President of the Local Government Board; the Institute of Bankers; the Institution of Civil Engineers, and by the Surveyor's Institution. These arbitrators are apparently to have absolute power to settle everything. There are no directions for their guidance except in Section 14, which directs that they shall have regard to the value of such undertakings prior to introduction of the Bill, and which also contains a provision, which I do not fully understand, with respect to back dividends.

Mr. *Rickards.*

3076. That is struck out, Sir Thomas; but, perhaps, you have before you the proposed amendment to that sub-clause?—Yes, I have, and I will come to that. It is quite obvious that that amendment has been introduced in order to meet the objections raised by the county council and others to the Bill, and they, therefore, put in a clause which is, I think, to this effect: the arbitrators are also "to have regard to the adequacy both as regards the quantity and quality of the watar derived therefrom, of the sources of supply from which such company takes its water in view of the present and probable future requirements of the district supplied by such company, and the efficiency and condition of the works and undertaking of such company." Well, I can only say that I do not envy the arbitrator who has to carry that clause into effect. It places in his hands some of the most difficult questions (questions of physical science, questions of engineering and financial and political questions) which there can possibly be; and I believe it to be a power which ought to be entrusted to no arbitrators whatever. I think I shall be able to show that, in the course of my subsequent evidence, when you come to deal with the question of the new sources of supply. Our objections, therefore, are still, in spite of the new clause which has been introduced by the promoters, that that places London consumers in the hands of irresponsible arbitrators, and commits to them powers which Parliament alone ought to exercise; and that is still more the case with the amended clause than it was with the Bill as it originally stood; secondly, that as originally proposed, it gives the arbitrators no directions for their guidance except a direction which, however well meant, would probably have the effect of directing their attention to market value on the Stock Exchange, as the standard contemplated by Parliament, and which would certainly, if that clause stood alone, have the effect of preventing them from paying regard to the effect of possible future competition or (now this does not apply to the amended clause) of a future examination of the real condition and intrinsic value of the undertakings of the companies on the value of those undertakings. Thirdly, that the tendency of the proposed arbitration board would probably be to regard the claims of invested capital rather than the claims of London consumers and London

Mr. *Rickards*—continued.

ratepayers. We believe that the result of such an arbitration would probably be even less favourable to the consumer than that of the arbitration made by Mr. Smith in 1880 under Lord Cross's directions, an arbitration which was condemned by Sir William Vernon Harcourt's Committee as extravagant.

Mr. *Rickards.*

3076*. What do you mean by "arbitration"? Excuse me.

Witness.] Well "arbitration" is perhaps not the right word. I will say, then, that of the estimate.

3077. The agreed amounts, you mean?—Yes, the agreed amounts. Those amounts were condemned by Sir William Vernon Harcourt's Committee as extravagant, as we all know.

Mr. *Bidder.*] I do not think Sir William Vernon Harcourt's Committee ever condemned arbitration, did they?

Mr. *Moulton.*] Sir Thomas has stated that it is the amount.

Witness.] "Arbitration" was perhaps a wrong word. I am quite aware that the companies, and with very good reason since Mr. Smith had agreed to their terms, did not appear, and did not treat it as a fighting case. Mr. Smith had done their business for them very successfully. He, as is well known, proposed to give the companies a capitalised value of about 33,000,000 *l.*, and he based his estimates on the then existing dividends of the companies and on the probable increase of those dividends. Since then, as far as I can make out from the accounts laid before the Committee, the dividends have increased by about 300,000 *l.* If the compensation to be given to the companies were increased in the same proportion, and if, in addition, the works of the companies have to be supplemented by new sources of supply, which may very probably cost from ten to twenty millions of money, it is no exaggeration to say that the cost of water to London, under the scheme of the Vestries' Bill, might approach to or exceed fifty millions of money. Then there is an objection which I mentioned before. The amended clause will give to the arbitrators powers which it is not safe to leave to any arbitrators. If they are to have regard to the adequacy of the present sources of supply, and the cost to London of supplementing them if deficient, they will have power to enter upon and decide the whole of the questions which have been mooted before so many committees and commissions, questions of populations; questions of rainfall; of geology; of engineering; of finance; questions involving, as we have seen, not only the citizens of London, but of England generally; for, as I have shown already, the question of supplying London with water is not a question affecting London only, but affecting other cities which may compete with London in the water-bearing areas of England. Such questions cannot safely or properly be left to any arbitrators. I shall give later on a fuller statement of what those questions are. Now, there is a point I should like to refer to in the Bill, which I do not think has received quite the consideration which it deserves;

serves ; that is, the clause which relates to the sinking fund. It does not concern the companies; it does not concern the purchase-money; but it does very materially affect the London consumer. The Bill proposes that there shall be a sinking fund to pay off the cost of purchase. It is to commence in 12 years, and the debt is to be paid off in 80 years. I do not think that the promoters have anywhere given a calculation of what the effect of this sinking fund clause would be, or what increase in the rates it would require; but it will obviously be something very serious. That raises very serious questions; questions which I am not prepared to answer, and which we have certainly not gone into fully. I believe Mr. Charles Harrison is prepared with some figures upon the subject; but it raises this sort of question: Is this sinking fund, as well as the existing water rents, to be charged entirely upon occupiers in London, or are they to be charged, as in the case of many of the towns in the north, partly upon the owners of property as well as upon the occupiers? That is a very serious and important question, and one which, as far as I know, has not yet been considered.

3077*. Now passing just for one moment from the provisions of the Bill, you have said that you wish to put before the Committee your views with regard to the danger of premature compulsory purchase?—Yes.

3078. Will you kindly tell the Committee what those views are, and your reasons for them?—I beileve it to be the fact that there is great danger in compulsory purchase if it is undertaken without full knowledge of what is going to be purchased. This was the mistake made in 1880; and it is very instructive to see, by the light of subsequent experience, what the effect of that purchase would have been. I do not propose to go at length into the arguments of Sir William Harcourt's Committee, but I should like to recall one or two points; and I may say here that my own impression at that time was that, extravagant as those proposals were, it would have been better for London that they had been accepted. Further inquiry and examination at the present time leaes me to a very different conclusion, and I will give the reasons for it. Mr. Smith proposed to give to the shareholders in the companies certain annuities, increasing from 773,000 *l.* in 1880 to 1,098,000 in 1892. It is very interesting to compare (which we can do) the amounts which they would have received in this form with the dividends which they have actually received. I have seen some very elaborate calculations tending to show that if Mr. Smith's terms had been accepted, London consumers would have been much better off than they are; and into those calculations are brought the economies which would have been produced by amalgamating the companies. No doubt those economics ought it have been considerable. We should no longer be paying 26,000 *l.* a year to the directors for instance, and probably there would be very great savings in the staff, and savings also in the plant, that is all a matter which concerns the consumer, that has absolutely nothing to do with the price which was paid, or which ought to have been paid to the shareholders of the companies. Those economies are speculative, and we cannot tell what they

Mr. *Rickards*—continued.

would have been ; and when you take those into consideration you would have to take other things into consideration, such as the pressure there would no doubt be for the equalisation and lowering of the water rents, and what I have already mentioned, the necessity of providing a sinking fund. Therefore, the economies are in the highest degree doubtful. However, I deny altogether that that is any test of the equity of Mr. Smith's arrangement; the real question is whether the shareholders in the companies, the holders of the shares which existed in 1880, who are of course the persons to whom Mr. Smith's annuities would have been paid, have received in the shape of profits more or less than they would have received if Mr. Smith's annuities had been given to them.

3079. Have you yourself been into figures with regard to it, and have you seen calculations on the subject which have been made very elaborately by a great authority?—I am no accountant, or even arithmetician, myself. I looked into the thing slightly; but I thought it was far the best way to go to the highest and most independent authority ; and I went to Mr. Stoneham, who has received instructions from Mr. Ritchie, I believe, to give all assistance to any parties to this inquiry, himself taking no partizan part, of course. He had gone very fully into this subject, and I will put in some tables which he has furnished me with, in which he has made a comparison.

Mr. *Bidder.*

3080. Will you give us a copy of those?—This is the only copy I have.

Mr. *Rickards.*

3081. Will you go on the Notes?—Certainly; I really could not get the whole of my evidence printed.

Mr. *Bidder.*

3081.* Gentlemen with a little more Parliamentary experience know that when they bring in documents of this kind they should follow the example of other public bodies, and provide sufficient numbers for the use of the Committee and those interested?—You shall have them printed as soon as the printers can do them.

Mr. *Moulton.*

3082. Kindly give the effect of them?—The effect of them is this: If you take the year 1890 and compare the actual profits of the companies, that is to say, of the shareholders of 1880 (for of course Mr. Smith's annuities had nothing to do with share capital created since 1880) if you compare the profit which the shareholders, holders of shares in the companies that is, those chares existing in 1880, with Mr. Smith's annuity, the result is this: the actual profits of the old shareholders in the year 1890 are 959,481 *l.* Mr. Smith's aggregate annuity in the year 1890 would have been 1,056,218 *l.*, showing an excess which the old shareholders would have received under Mr. Smith's arrangement over what they have received of 217,871 *l.* (*Documents were handed in.* Vide *Appendix* B. and C.)

 3083. I think

Mr. *Bristowe.*

3083. I think, Sir Thomas, that was interfered with by the Torrens' Act?—No doubt.

3084. I only mention that?—I shall come to that presently. There are various reasons— —

3085. I mean to say Mr. Smith's calculations without the Torrens' Act would have been about correct; I do not want to interrupt you?—I shall mention presently the various circumstances which I think Mr. Smith did not take into account, and which he ought to have taken into account before giving these very large sums to the companies.

Mr. *Murdoch.*

3086. Of course you are striking out any profits of the new capital since 1880?—That is exactly what I am doing. First of all you have (which you have done in the accounts of the companies) to deduct all the interest paid up on the new loan capital; that is done for you in the accounts of the companies; in addition to that you have to deduct from the actual profits of the companies the dividend paid upon the nominal amount of new share capital; when you have done that you have got the profits which have been actually received by the old share capital. If you take the whole of the period from 1880 to 1890 the actual profits of the holders of shares of 1880, the profits earned by the old share capital have been 8,498,180 *l.* Mr. Smith's annuities would have been 9,555,719 *l.*; consequently the old shareholders have received 1,057,539 *l.* less as things have gone on, than they would have received if Mr. Smith's arrangement had been carried into effect. One company has received more than it would have received under Mr. Smith's arrangement, that is the Chelsea Company, it has received 18,000 *l.* more than it would have received under Mr. Smith's arrangements.

Mr. *Rickards.*

3087. Notwithstanding the Torrens' Act?—The Torrens' Act is, of course, an element in the whole concern, as I shall show you presently. Then you have to remember, in addition to that, that the profits which the shareholders have actually received have been profits upon water stock, which has a very good value in the market. Mr. Smith's annuities would have been in 3½ Metropolitan Stock, which (valuable as the companies' shares are) stands considerably higher in the market than the shares of the companies; I really do not know how much. I have seen it calculated at 15 or 20 per cent.; so that that would have been an additional gift under Mr. Smith's scheme to the shareholders of the old companies.

Mr. *Moulton.*

3088. Now, you remember that at the time of Mr. Smith's estimate it was said that he went on the precedent of Birmingham?—Yes, he did. I am not the least prepared, any more than Sir William Harcourt's Committee were, to go into precedents generally, of which I dare say we shall hear a great deal; but Mr. Smith relied especially upon the Birmingham precedent. He was answered on the spot by Mr. Chamberlain and others; but it is a very curious thing to compare the effect of the Birmingham precedent upon the shareholders and the water consumers of Birmingham with the effect of Mr. Smith's arrangement upon the shareholders and the consumers of London. The Birmingham corporation have lately been in preparation for this large scheme of their's in Wales, making very careful accounts, which they have been good enough to furnish me with, of their receipts, expenditure, profits, and so on. I should like to mention that the arrangement with the companies of Birmingham was to give to the Birmingham shareholders certain fixed annuities, those annuities, I believe, being equivalent to what they were then receiving. Nothing was given to them for increase subsequent to the purchase; consequently, the whole increased rentals have accrued to the town council, and after payment of working expenses, they have resulted in a surplus of income over the payments to the old companies, which has been constantly increasing, and which amounts in the aggregate to nearly half-a-million in fourteen years. I put in the Birmingham figures; they are extracted from the accounts (by accountants) kept for the Birmingham corporation, and the Birmingham authorities have been good enough to verify this Table for me, so that great economy for the consumers, contrasting very much with what had been the case under Mr. Smith's arrangements, has been effected under the Birmingham arrangement which he took as a precedent. (*The document was handed in.* Vide *Appendix* D.) That is, you see, with an income at Birmingham averaging not much more than 100,000 *l.* a year.

Mr. *Moulton*—continued.

3089. So, in your opinion, if Mr. Smith's bargain had been accepted, it would have been a good one for the companies?—A very good one for the shareholders in the old companies.

3090. And what would it have been for London?—It would have been a very bad one for London. Of course I am not quoting the Birmingham case as decisive. No one of these precedents stands on the same footing as any other. I only show how much Sir William Harcourt's Committee would have been misled if they had accepted Mr. Smith's advice; and the Birmingham precedent does not justify his proposals.

3091. Now as to the errors which, in your opinion, were present in Mr. Smith's estimate; do you think that they are present in the proposals of this Bill?—The Bill is so vague that it is very difficult to say what is there; I think it is very likely they would be there; and I think it is very instructive to see what Mr. Smith's mistakes were.

3092. What were they, in your opinion?—In my opinion, first of all there is the point that has been mentioned by a member of the Committee, that the power of the companies to charge water rates would remain undisturbed. Now, as has been pointed out, they have not remained undisturbed. In Dobbs' case, as we know, the companies were beaten; and subsequently to Dobbs' case there was legislation which affected the rates of the companies; legislation of a rather hasty kind. I should just mention that by the original Acts of the companies the value upon which the rents were to be taken

Mr. *Moulton*—continued.

taken was not fixed. It was purposely left very much to the decision of the companies. That appears, if you look into what was done before the Committees of 1852. Then in Dobbs' case it was decided that they were obliged to take upon the net, and not upon the gross value; and then by the subsequent legislation, I think of 1885, that net value was to be the value determined under the Metropolis Valuation Act from time to time, and as we know, that was an Act passed very hastily, it was passed by a very small House in the small hours of the morning. The result has been that we have the rates of the companies increasing after each quinquennial valuation as the value of property has been raised. Well, we know what complaints that has raised in London. We know that there has been a Bill this year to alter that; and it is perfectly impossible to say after the Legislature has once interfered as they did in 1885 that they will allow that to stand, Dobbs' case shows that the rents of the companies may be affected by litigation; Torrens' Act shows that they may also be affected by legislation. I do not know whether I am justified in referring to a document which seems to me of extreme importance, and which certainly, if it ever came to a question of arbitration, the London county council would find it necessary to investigate to the bottom; but I find in the appendix to the report of the city committee of last year a speech made by Serjeant Wrangham on behalf of the Chelsea company. It was the leading case when the companies came for their new schedules of rate. I find a speech which bears internal marks of authenticity. I am unable to prove it; the companies no doubt will be able to say whether it is an authentic report or not, but it is a speech which is of extreme importance with a view to the maintenance by the companies of their existing rates of charges. I should mention to you that that was a very critical period in the history of the water companies.

Mr. *Bidder.*] If anything turns upon this speech I think it is much better to have the speech itself.

Mr. *Rickards.*] It is rather irregular.

Mr. *Bidder.*] I may point out that we are getting very very far from the issue.

Witness.] I mentioned that I was not aware whether this was a thing which I could legitimately speak to, so I only give the companies notice of it; and I give them notice that if they do not produce it on future occasions that will be a thing that will be pressed, and that we shall insist upon the investigation of.

Chairman.] It hardly comes in here, Mr. Moulton, I think. We can hardly admit it here.

Mr. *Bidder.*] We will take note of the fact; but it must be a long time ago, because Serjeant Wranghan ceased to practice about 1845.

Witness.] The rest of the companies got their Acts in 1848, 1852, and I think one subsequently; which are the real charters of the companies. It, therefore, becomes extremely important to see what were the terms and conditions upon which the companies obtained those charters; but Serjeant Wrangham's speech distinctly states that those were the maximum, and not a certain charge, and that they would be subject to competition.

3093. I am objecting. You are going beyond what is reasonable now; giving a verbal recollection of a supposed speech which somebody made 50 years ago?—It is not a verbal recollection; it is a verbatim note of the speech.

Mr. *Moulton.*

3094. Will you go on to state, secondly, you have stated the first error made, that the powers of the companies to charge water rates would remain undiminished?—Yes.

Mr. *Bolton.*] If Sir Thomas Farrer confined himself to giving evidence rather than making a speech to the Committee it would be better.

Mr. *Moulton.*

3096. Now, what is the second erroneous assumption in your opinion?—The second is the most important error of all, that the works were in such a condition as to need very little expenditure of new capital.

Mr. *Rickards.*

3096. This is Mr. Smith's, is it not?—Yes, this is Mr. Smith's. Now, with regard to that, it appears that the companies have already since 1880 expended 2,482,019 *l.* (I get these figures from Mr. Stoneham) of new capital in improvement of existing works, and they are constantly compelled to spend more and more. It is a very important point is this. It lies at the bottom of Mr. Smith's errors, and it illustrates in a very pointed way the argument which we wish to urge on the Committee with respect to terms of purchase.

Mr. *Murdock.*

3097. Might I ask, if in taking that figure you are taking the amount of new capital that they have raised?—No; as I understand Mr. Stoneham, this is the capital they have expended.

3098. That has a very important effect?—Oh, yes, it is a different thing.

3099. You give it as simply expended upon improvement of works, and not upon extension of works necessary for increased house accommodation?—I do not pretend to distinguish between those two things.

3100. It is, of course, very material?—It is an extremely important consideration in point of principle, but an extremely difficult one to apply in practice.

Mr. *Bidder.*] It is a little difficult, of course. We who represent the companies feel that if this question about whether Mr. Smith's bargain was a good bargain or a bad bargain is a relevant one, these alleged errors of Mr. Smith's in the opinion of Sir Thomas Farrer must be discussed, because we have very strong reason to believe that we shall be able to show the Committee that they are not errors at all; but the preliminary question has been occurring to my mind for some time, What has all this question of whether the bargain was a good or bad one to do with the question before the Committee? Mr. Smith's bargain was not carried out. The matter now before the Committee is the expediency of adopting

ing or not adopting proposals in a certain Bill that is now before the Committee; and on that of course, naturally, Sir Thomas Farrer, as representing the county council here, is entitled to give his views with very considerable latitude; but I do venture to think that in discussing whether Mr. Smith's bargain in 1880 was a good one or a bad one we are getting very far afield and outside the scope of the present inquiry. Mr. Smith's bargains are off, and have been for 10 or 12 years. We must follow Sir Thomas Farrer if he goes into it, and inordinate time will have to be consumed, and very unprofitably.

Witness.] I may say this——

Mr. *Bidder.*] This is a point for the Committee. The witness must not intervene.

Mr. *Moulton.*] The case of the London county council is that this is material to put before the Committee, for this reason: We say that a compulsory purchase before there has been adequate inquiry before a Parliamentary authority capable of giving Parliamentary powers as to the need and possibility of a new supply would necessarily lead to a bargain being made in the dark, just in the same way as Mr. Smith's, and liable to the same errors. Mr. Smith's proposals were strongly supported at the time, yet it has turned out that the execution of them would have been an exceedingly heavy burden to London. We think it is exceedingly material to put before the Committee that fact, that the difficulties of what I may call a blind bargain may be shown to the Committee in support of the contention of the London county council, which is, as I say, I believe generally supported throughout the whole area affected, that the question as to the possibility and expediency of other supply should be considered before compulsory purchase or purchase at all is resolved upon. I think it is very material.

Mr. *Bidder.*] I quite understand that my learned friend and Sir Thomas Farrer desire to put before the Committee, that seems a very proper matter to discuss, as my learned friend says, as to whether it is expedient to provide for compulsory purchase by arbitration or otherwise. But what has that to do with the history of Mr. Smith's arrangement, which was not compulsory purchase, which was not purchase upon arbitration terms, but was the result of certain negotiations which were never ratified by Parliament. I quite recognise the propriety of my learned friend discussing the question if he thinks fit, but he should not drag in Mr. Smith and his agreement.

Witness.] If Mr. Bidder would allow me——

Mr. *Bidder.*] No, no, Sir Thomas, you cannot. Forgive me; I have taken an objection. It is not for the Witness——

Witness.] I can avoid the objection I can save time if you will allow me.

Chairman.] I confess I have been thinking for some time that we were getting a little bt wide of the question before the Committee; I supposed that it was in some way fair to admit it as illustrative of certain conditions which you and Sir Thomas Farrer think ought to be imposed upon those who would have to deal with the purchase ot these companies if they were dealt with; but I think it is getting rather wide of the inquiry.

Witness.] I will avoid Mr. Smith, if you please, altogether for the future.

Chairman.] This Committee has not to give an opinion as to whether the bargain then made was a good one or a bad one.

Witness.] It does not affect my argument; I can quite avoid the reference to Mr. Smith.

Mr. *Moulton.*

3101. (To the *Witness.*) Take the point you were dealing with; namely, the amount that has been spent since 1880 on existing works or the creation of new ones. What concluslon do you draw from that with regard to the present revenue of the companies?—It seems to me the position is really this: the companies are entitled to certain water rents both on old and new houses, and as houses increase these rents increase. But in order to earn a right to these rents they have constantly to expend fresh capital either on renewals or extensions, and the cost of this fresh capital has to be deducted from the rents before the shareholders can divide profits. Each issue of fresh capital therefore makes the profits less than they would have been without it. If issued in the form of debt the interest has to be paid. If issued in the form of shares the dividends on the new shares have to be paid. This will be the case on whatever terms the new capital is raised. But since the profits of the companies exceed this interest or dividends, the income derived from the new capital exceeds or will exceed this interest and dividend; and will increase, *pro tanto* the value of the company's shares. I am coming now to something which I think you will see is very much *ad rem.* It is to prevent this operation that the sinking fund and other devices, more or less successful, have been proposed; and in the case of the Southwark and Vauxhall Bill the Committee have just passed a clause for that purpose. In discussing that clause Sir Henry Knight gave some evidenee which curiously illustrates my argument. My argument is to show that in considering the value of the companies' dividends you have to consider the expense they will have to incur in earning them; but I want to show you what Sir Henry Knight said. He put in a table showing the alleged defect on the Southwark and Vauxhall Company of the 300,000 *l.* new capital raised in 1886. His object was to show that the expenditure of that capital was of little advantage to the company either in the way of dividends or in case of prospective purchase. Now I do not know whether his figuees are accurate or not, but it is clear that Sir Henry Knight thought that the 300,000 *l.* which the company was enabled to raise in 1886 would cause a very great loss to the compeny for many years.

Mr. *Bristowe.*] Three or four years, or several years, I think, he said.

Witness.] He says, "I have a table which shows that instead of gaining by the issue of this new capital, the company loses a large sum every year until the year 1905, and that the losses thus sustained will not be fully recouped until the year 1924. The nett loss up to the 1915; the year in which

which the whole of the 1886 capital is estimated to be in full use amounts to 41,770 *l.*;" and if you take the point at which they began to recoup the dividend, the loss, according to the table he has put in, amounts to over 70,000 *l.* Therefore that shows that raising new capital for the purpose of extension or new works is *pro tanto* a deduction from what the companies would earn. I will not refer to Mr. Smith again, but this point has to be carefully considered in any purchase, and if it should prove, as I think it may very likely prove, that the companies, if they continue to exist, will have to go for new sources of supply to distant parts of England, then the sums which they will have to raise, and for which they will have to pay, will have to be counted, not by hundreds and thousands of pounds, but by millions possibly, and the expense of raising that new capital will have to come, unless Parliament should otherwise determine, out of their existing water rents.

Mr. *Moulton.*

3102. Apropos of that the companies have not at present very large powers for doing those things?—They have not.

Mr. *Bidder.*] Doing what?

Mr. *Moulton.*] Getting these new supplies.

Mr. *Bidder.*] I beg your pardon.

Witness.] No.

Mr. *Bidder.*] You must not assume that.

Mr. *Moulton.*

3103. The witness seems to think so; you will contradict it if is a mistake. (To the *Witness.*) With regard to that it would depend upon what Parliamentary powers were given them, and what cost would be; could any arbitrater, in your opinion, decide what Parliamentary powers they would have given them in the future?—It would be absolutely impossible.

3104. Now do all these things lead you to the conclusion that there is a broad extent of inquiry which is necessary before purchase?—Absolutely necessary.

3105. Taking, to begin with, the two heads of machinery of distribution and the sources of supply, do you think with regard to either of them there is knowledge enough for immediate legislation?—I do not think there is; I would say that when a bargain is about to be completed in ordinary cases the inquiry is, what is the value of the thing to be purchased, that is determined in the ordinary way; the purchaser considers at what cost he could provide other means of attaining the same object; and the seller would not be able to demand a price exceeding the amount thus measured. He inquires what is the condition of the thing which he is going to purchase, he inquires its value, what are the future burdens upon it, and he would not give more than that value. Those principles it seems to me, were absolutely disregarded in Lord Cross's bargain. Mr. Moulton asks me: There are two great parts of the undertaking of the company; there is the machinery of distribution and the and the sources of supply. The value of the undertaking depends upon the condition of both these parts. If both are sufficient for the purpose in good working order, and likely to last, the concern is a good going concern, and its value must be determined accordingly. If both or either of them is in such a condition that they require to be replaced or renewed, the value of the concern is diminished by the sum necessary to replace or renew them; and neither can the vendor demand for it, nor ought the purchaser to give, as much as he would have given if no such replacement, or renewal, had been necessary. Those are the terms of an ordinary bargain.

Mr. *Moulton*—continued.

3106. Speaking generally, from the inquiries you have made, do you think the machinery of distribution is in that condition?—That is one of the matters upon we wish at the London county council to make careful inquiry. Every now and then we get statements by the Minister, or reports from his officers which lead one to think there are defects which have to be remedied; but we know, as in the case of the Southwark and Vauxhall Company, that the companies have to come Parliament constantly, either for extension of their undertakings, to meet new supply, or, which seems to me to be mixed up wtth the other, and in the Southwark and Vauxhall case, to be especially mixed up with it, for maintaining their present supply in a thoroughly efficient condition.

3107. Now on the other point?—The other point is the question of new supply; and that is one upon which it is very difficult to offer much evidence. I shall come to what is to be said in dealing with the evidence on that point; but, if it is true, as has been stated, that the present sources of supply are deficient, and that an enormous expense will have to be incurred, in order to get new sources of supply, then I say it is perfectly monstrous that London should pay the companies for the present sources of supply as if they were adequate, and should then having effected that purchase, have themselves to undertake the cost of the new sources of supply.

3108. Have the inquiries you have made really led you to the conclusion that they are inadequate in the way that you say for the future of London?—I can only give the facts that have weight with myself, and, I think, with members of the council, and I give them, not as concluding the case for our very case, in answer to this Bill is that a great deal more inquiry is necessary before any positive conclusion can be come to; but I think there are circumstances that are patent which render it at least extremely doubtful whether the present sources of supply will continue sufficient.

3109. Would you just give the main heads of these facts which affect you, and, you believe, the council?—At the time when Mr. Smith's agreement was made. I am not going to refer to that, but at that time the best authority upon the subject of the water supply of London was the Report of the Duke of Richmond's Commission which was made in June 1869. It was an admirable Commission, and it took extreme pains; it came to the conclusion, which always seemed to me in former days to be extremely well founded, that the River Thames, supplemented if necessary by works for storing the flood waters, together with the River Lee and the

Mr. *Moulton*—continued.

the water obtainable from the chalk to the south-east of London, and the lower green sand, would furnish a supply sufficient for any probable increase of the metropolitan population. And the whole purport of their Report went to show that the existing sources of supply was sufficient in quality and quantity.

Mr. *Bidder.*

3110. That was in 1869, was it not?—In 1869, June 1869. Subsequent experience has made one doubt the results come to by that Commission. Like other commissions they made no allowance for the enormous increase, and the growth of population, and they probably over-estimated both in quality and quantity the water that might be drawn from the Thames, the quality certainly. These are the summary of their conclusions, and this is really important: paragraph 261: "We are of opinion that a probable increase of population to 4,500,000 or 5,000,000 may have to be provided for, though we believe that the time for such an extended provision will be very remote."

Mr. *Rickards.*] I carefully abstained from going into this. I do not know how far you are going to follow it up.

Witness.] This is the very gist of my case.

Chairman.] I think the Witness is entitled to quote from that, in order to base an argument upon it.

Mr. *Rickards.*] If you please, Sir.

Chairman.] It is an authoritative document, you know.

Mr. *Rickards.*] Of course I must be at liberty to refer to it afterwards?

Chairman.] Certainly, you are entitled to refer to the Report of the Commission.

Mr. *Moulton.*

3111. (To the *Witness.*) Will you proceed?—They say as to the quantity of water: "We are of opinion that a probable increase of population to 4,500,000 or 5,000,000 may have to be provided for, though we believe that the time for such an extended provision will be very remote."

3112. How have the facts turned out with regard to that?—As a matter of fact, the population supplied has increased from 3,100,000 in 1867 (which was the time at which they got their statistics) to 5,500,000 in 1888, and is now increasing at an augmenting ratio, so that the extreme limit contemplated by the Royal Commission, as possible at some remote date, has been reached in less than 20 years, and is already exceeded. Then they said, "That 200,000,000 gallons per day is the highest demand that need be reasonably looked forward to for the metropolitan supply.

3113. How has that turned out?—It appears that the total average quantity of water taken daily from all sources has increased since 1867 from 98,600,000 gallons per day to an average for the year of 154,000,000 gallons, and to very much more than 154,000,000 gallons in the summer months, amounting to as much as

Mr. *Moulton*—continued.

185,376,000 gallons in the month of June 1890, thus approaching rapidly to the 200,000,000 gallons which the Commission looked forward to as the highest future demand.

3114. What was the third conclusion they came to?—"That the various companies are prepared with only moderate additions to their present engineering means, to supply a quantity little short of this amount." From the report of our engineer (and he will himself give evidence upon this subject), it appears that of the three source of supply, namely, wells, the River Lee, and the River Thames, the supply from wells is uncertain, the supply from the Lee is already exhausted, and the supply from the Thames, much nearer exhaustion than the Commissioners anticipated. They thought that a maximum quantity of 110,000,000,000 gallons a day might safely be withdrawn from the Thames, and they based this opinion upon the hypothesis of a minimum dry weather flow of 350,000,000 gallons a day at Teddington. It now appears from information given by the Thames Conservancy to the City committee, that while this may be the case in general, it is not the case in dry seasons. For instance, it appears that the average flow at Teddington in August 1885, was 210,000,000 gallons a day, falling as low on some days as 166,000,000 gallons, and that the average flow for August 1887, was 240,000,000 gallons, falling as low on some days as 154,000,000 gallons. From the same report it appears that the probable out-take of the companies in those months was out 84,000,000 gallons, so that when the river was at its lowest in 1885, the whole outflow including that out-take must have been only 250,000,000 gallons, of which the companies must have abstracted 33 per cent., and in 1887, 238,000,000 gallons, out of which they must have abstracted 35 per cent., which is a much larger abstraction than the Commissioners contemplated. It is further to be observed, that all this water is abstracted from the Thames and Lee, without any compensation, such as has been required in the case of similar abstractions by provincial towns, and such of those interested in these rivers may very well demand.

3115. I think it might be very convenient to get on the Notes here, a "Statement of the corrected volumes of the average daily discharges of the River Thames at Teddington weir, the maximum and minimum daily discharge for each of the months entered, and the percentage of the corrected volume withdrawn for the supply of the metropolis from 1885 to 1889, both inclusive"?—It is suppled by the courtesy of the Thames Conservancy. I do not want to actually go into the figures, but if I can hand it to the shorthand writer and get it on the Notes, it would be very convenient.

Mr. *Bidder.*] Do you want to print it on the Notes?

Mr. *Moulton.*] Yes.

Mr. *Bidder.*] It is printed already.

Mr. *Moulton.*] Nobody objects to your referring to it.

Witness.]

Witness.] It would be very convenient to have it on the Notes.

Chairman.] Is it copied in this report of Mr. Binnie's?

Mr. *Moulton.*] No; I do not think it is set out there.

Witness.] It is referred to there.

Mr. *Bidder.*] I do not see any objection to its going on the Minutes.

Mr. *Moulton.*] I do not know, Sir, whether you will allow Mr. Freeman to take up the examination? I am wanted elsewhere.

Chairman.] Yes.

Mr. *Bolton.*] It would be inconvenient to put the document on the Notes.

Witness.] Yes; I will put it in.

Mr. *Lawson.*] Cannot we get that up to date.

Mr. *Freeman.*] Would you like this brought up to date, Sir?

Chairman.] I hardly know what it is.

Mr. *Freeman.*] It is supplied by the Thames Conservancy.

Mr. *Bidder.*] We are rather in the dark; the counsel for the Thames Conservancy is not here. I was going to point out that if this evidence given somewhere else, I have no doubt it may go, as a matter of course, on the Notes; but, if it is not, one would like to know something about it. Is it evidence given last year on the Richmond Bill.

Mr. *Freeman.*] No; it is a document which was handed in by the Thames Conservancy during the proceedings which took place at the City inquiry of last year.

Chairman.] It is a report, is it?

Mr. *Freeman.*] It is a table which was handed in by Major General Scott.

Chairman.] It had better go on the Notes, Mr. Freeman.

Mr. *Freeman.*] This goes down to the year 1889. I understand the honourable Member would like it continued to a later date.

Chairman.] There will be an official report, will there not, from General Scott for last year, and that will be up to that same date; there will be one due very shortly I should think.

Mr. *Freeman.*] That table is handed in by General Scott at the City inquiry.

Chairman.] It had better go on the Notes.

Mr. *Freeman.*] It had better go on the Notes. The honourable Member for St. Pancras has said that he wishes it continued up to date.

Mr. *Bidder.*] It would be a little more regular (the Thames Conservancy are not here at the moment) if the Committee would ask them to supply a table of that kind to put upon the Notes; that would be the regular and proper way of doing it; but to put in a document that somebody handed in on an unofficial inquiry in the City without knowing more about it, is rather vague, especially as honourable Members wish it brought up to the present time. I have no doubt if the Committee asked the Thames Conservators to supply them with a table to that effect they would do it.

Mr. *Williams.*] Any table you wish handed in, Sir, the Conservators will be perfectly ready to hand in. Of course if that table was handed in by the Thames Conservancy, I have no doubt whatever that it is perfectly correct; but if you want any subsequent table the Thames Conservancy will be perfectly happy to supply it.

Mr. *Bidder.*] That will be the proper way.

Chairman.] It would be useful to have that table.

Mr. *Rickards.*] I take it it may go upon the Notes as far as it is carried, subject to correction by a gentleman in the box?

Cairman.] Yes.

Mr. *Freeman.*] That is a document officially handed in by the department, and supplied to them by the Thames Conservancy; and instead of delaying several days to complete it, I venture to ask that it may go on the Notes as far as it goes. Then we will complete it subsequently.

Chairman.] Yes.

Witness.] I put in as a document which undoubtedly had effect with the London county council. (*The document was handed in*, vide *Appendix* E.)

Mr. *Freeman.*

3116. (To the *Witness*).] When that discussion began you were giving your evidence as regards the actual flow of the Thames at Teddington; Was the evidence you were then giving evidence to justify your statement that the views expressed by the Commission of 1869 had been over sanguine as regards the amount of the water in the intervening period?—Quite so; and that the question of a new supply becomes an important one, supposing these facts to be proved. I always tell you that our inquiries are as yet incomplete; but supposing these facts to be proved, it raises the very serious question of the new supply.

3117. These facts which have been given to the committee relate to the quantity of water from this source; do you also consider that as regards the quality of the water the further investigation is really necessary to ascertain whether it is sufficiently pure for its purpose?—Clearly; I speak with greater caution about quality than about quantity. I make no charge against the companies; I believe the companies have done their utmost to make water pure and good; and I should be very sorry that anything should go forth from the London county council to make people think they are drinking wholesome water; but it is necessary to have regard to certain considerations which may be put forward by people of authority. Those considerations make it necessary in our opinion that there should be a much fuller investigation than has hitherto taken place, not only of the existing quality but of the prospects of maintaing a pure supply from the River Thames.

3118. Has one of the elements which have been the county council, which they have very carefully considered, been the reports of the Local Government Board, particularly the 19th Report?—That is the last Report?

Mr. *Freeman*—continued.

3119. That is the last Report?—Yes, and I could multiply these quotations; but I should be content with reading one which is from the last report of the Government water examiner.

3120. If you please?—It is the 19th Report of the Local Government Board Appendix, page 233. "The fact which renders the water supply of the metropolis a permanently anxious question is the enormous and continuous increase of the population, not only within the metropolis itself, but also in the contiguous districts. Each year the customers of the water companies are increased on the average by about 130,000 persons. Not only do these persons represent an additional tax on the resources of the companies, but a certain proportion of them, and a number of others outside the limits of the companies' districts, swell the sources of possible pollution to the rivers and streams whence by for the larger proportion of the supply is derived. Doubts naturally arise from time to time in regard to the sufficiency of the sources of supply to meet the increasing demand, and as to the quality of the water. For a number of years past the condition of the Thames and the Lee, and the fitness of these rivers to act as sources of supply of potable water to the metropolis have been subjects of anxious inquiry and discussion. Draining as they do thickly-inhabited areas, with a population aggregating above the intakes of the companies about 1,400,000 persons, they are exposed to risk of pollution throughout the whole, but more especially in the lower part of their course, and the continuous growth of the population tends to increase the difficulties connected with the diversion from them of sewage and refuse matters. Seeing that in the valleys of the Thames and the Lee there are towns, villages, and detached houses, the drainage from which reaches the watercourses in a foul or more or less imperfectly purified condition, and that manure is largely used in the fields, it is manifest that the rivers must carry away impurities of animal in addition to those of vegetable origin. This being the case, there exists always the possibility of the introduction of specific matter of a noxious character, and hence the necessity for ceasless effort in the interests of sanitation within the areas referred to."

3121. In addition to that, I believe you have before you the report of the Local Government Board by Doctor Blaxall, dated the 21st March 1891?—Yes. I read these as specimens of what put us upon enquiry. This is a report from Doctor Blaxall upon the sanitary condition of the Thames and the rural sanitary district of Staines. It is dated 21st March 1891. He says this: "The general filthiness of soil and water in the Staines rural sanitary district is probably a matter of more than local concern. Besides the rain that falls on the district large volumes of water comes through the river gravel which forms the subsoil, and into this gravel are washed the contents of several thousand cesspools purposely dug in the gravel for convenience of discharge thereinto. The water thus befouled flows directly or indirectly into the Thames. Entering the Thames at various parts of the ten miles where the district abuts on the river, the principal and most direct flow of the water through the gravel bed of this district would seem to be from west to east, and its discharge to be mainly into the lower portion of the boundary river, in the neighbourhood of Sunbury. At a short distance below this neighbourhood, on the southern bank of the river, are situated the pumping stations of certain great London water companies. I shall not attempt to measure the amount of the actual impurity furnished by Staines rural district to the Thames above these water intakes, nor shall I discuss the extent of depuration that may go on before the filth of the district reaches the river. But I may at least direct attention to the prevalence in the Staines rural district of that particular disease that disseminates itself especially by means of water. In no one of the past seven years for which I have record has this district been free from typhoid fever. This disease has indeed been very high in rank among the "symotic" causes of death. It is recorded as being the cause of 49 deaths during the seven years, and this number of deaths may be taken as indicating at least 500 cases of typhoid fever. We know of this disease that it is derived habitually if not always from antecedent cases of the disease, by means of excremental discharges from the sick; and that water contaminated by very small quantities of these discharges, so small as to escape recognition by chemical tests, can produce fresh attacks of the fever. For example, in 1885 typhoid fever obtained extravagant proportions in the Staines rural district, especially at the West London District School, and no less than 24 deaths from this cause took place. The spread of the disease was, no doubt, justly ascribed to the drinking of 'specifically contaminated' water, but the discharges from each several case of typhoid fever in the Staines rural district, if they find their way from the district cesspools along the gravel stream into the Thames, have the opportunity of 'specifically contaminating' vast quantities of the river water; so that nothing but the efficiency of the water company's filtration stands between the typhoid matter entering the river at Sunbury and the consumption of that typhoid matter by the water drinkers of half London. What is true of typhoid fever in this connection is beyond doubt true for Asiatic cholera, so that cases of this cholera in the Staines rural district might have disastrous results for the metropolis." Then he says in a note: "I find that attention is specially directed to this pollution of water in the gravel beds of the Thames at Staines and in Staines rural district, by General Scott, the official water examiner, in his reports for May 1887 and September 1888.

3122. Now as to the details of the present impurities on the banks of the Thames evidence will be given by other witnesses?—It will.

3123. Have you yourself carefully considered the general effect of such a state of things upon the water supply?—Yes.

3124. And do you consider that the two important things to bear in mind are, first of all, the impossibility of keeping drainage out of such a river as the Thames from such banks as it has, and, secondly, the impossibility of always detecting the dangerous elements which are brought down

Mr. *Freeman*—continued.

down in the water?—Quite so. I think it is a matter of common sense rather than a matter of science for anybody who lives on or near the banks of a river to know how extremely difficult it is to keep sewage out of the stream. I know that: I live upon a small stream myself, which is an effluent upon the Thames. I know the pains that are taken to keep drainage out of it, and I know that it is not done. I give the Thames Conservators, who will be here to-day, and with whom I have had much communication, every credit for taking all the pains in their power; I doubt whether it is in their power, or in anybody's power, to keep sewage entirely out of the Thames. What the effect of sewage, when it gets into the Thames is, is a matter upon which I do not pretend to give an opinion.

3125. Do you know that in all the recent schemes of modern times corporations have bought a large area of water round their watershed in order to keep out this very source of pollution?—Quite so; and one must remember that this is a difficulty, and a difficulty constantly growing. We must expect that the population of the valley of the Thames will constantly increase, and that this difficulty will be greater and greater.

3126. In order to put that in a concise form before the Committee, I believe you have two tables, one showing the growth of the houses and population, and water consumed in the metropolitan area from the year 1858 onward. Is that so?—Yes.

3127. And the other, showing the number of horses, cattle, sheep, and pigs, and the population, in the valleys of the Thames and the Lee, from which the present supplies are brought?—Yes; those are tables which have been prepared under the direction of the council's engineer, and he will be prepared to answer any questions about them.

3128. In the meantime those tables probably had better go upon the Notes?—It would be more convenient that the Committee and the counsel should have them at once.

3129. I suppose they had better go on at once, then my learned friends will be prepared, by the time the engineer comes, to deal with them?—Yes. (*The Tables were handed in*, vide *Appendix*, G. and H.) I should like to guard myself against saying too much about this. I have always been a little sceptical about chemical examinations, and a little sceptical about some of the alarms which have been raised, but it is quite impossible to disregard such reports as I have read from official and responsible persons.

3130. Let me get this quite clear; in giving the evidence you have been giving during the last few minutes upon the condition of the Thames, is your object to show that full inquiry and investigation should be made before this important question is finally determined?—That is my only object. Supposing that the London council had the water supply, it would be very much to their interest not to have to spend a very large quantity of money in going for a distant supply; consequently, I wish to be extremely cautious in stating what I believe to be the fact, that this requires most careful inquiry before purchase; and not to state with any positiveness

Mr. *Freeman*—continued.

that we or anybody else will be obliged to desert the Thames.

3131. Just let me ask you this, which is a question rather arising out of your last answer, is one reason why, in your opinion, full inquiry is so very necessary, the fact that it is to everybody's interest to assume the best of this present supply?—Quite so. That has struck me very much. It is everybody's interest to preach smooth things. It is quite obviously the intense interest to of the water companies to prove that the present supply is adequate both in quantity and quality, the value of their property depends upon it. It is also the interest of the ratepayers for whatever we have to pay to the water companies for their present supply, it will obviously be very much more expensive for London to have to go for a distant supply to Wales, to Derbyshire, or somewhere else, than it will be if we can be content with the present sources. That consideration makes me feel the great responsibility of the present position, the extreme importance that we shall not blink the serious apprehensions that are raised.

3132. On the other hand, are you very desirous to guard yourself against being put in the position to purchase as complete the existing waterworks, and then find you have to get a fresh supply afterwards?—That is an important point in our case.

3133. In that view are you very much confirmed by experience of what has happened on former occasions when this question has been considered?—Yes, very much indeed; I have not the least doubt that on this occasion, as on former occasions, a great deal of evidence will be given, some interested, some perfectly disinterested, to show that the present supply is adequate, both in quantity and quality, but I find that the same evidence has been given by perfectly disinterested persons on former occasions, and that they have proved perfectly wrong in their anticipations.

3134. I believe you have very carefully in respect of this question examined both the evidence and the conclusions to which the Commission arrived in the year 1867, the Commission which sat upon this matter at that time?—A committee it was, I think.

Chairman.

3135. Do you mean Mr. Ayrton's Committee?—Yes, I think it was Mr. Ayrton's Committee.

Mr. *Freeman.*

3136. The Duke or Richmond's?—No, the Duke of Richmond's Commission was 1869. This was Mr. Ayrton's Committee, I think

3137. In 1867; 1869 was the date of the Commission. Referring to the evidence which was given before that Committee in 1867, did you find the anticipations first of all as regards the increase of population verified?—There was evidence given by a most competent, and, I believe, a most upright man, Mr. Simpson, the engineer to one of the companies. He is asked: "What increase of population are you assuming?—(*A.*) I assume rather less than 2 per cent. (*Q.*) That works out to a doubling of the population in 40 years——?

Chairman.] I think perhaps it is hardly necessary to go back into that. We take the general conclusions of the Duke of Richmond's Commission, or of any Committee, as to principles. I do not think we want the evidence of particular witnesses on the subject. It is rather multiplying evidence unnecessarily.

Mr. *Freeman.*

3138. Just so. (To the *Witness.*) Just let me put to you one general question upon those tables. As regards the population to be supplied, the quantity of water available, and the sufficiency and purity of that water, do you find the anticipations of 1867 and 1869 fall far short of what the facts have since proved to be the case?—Absolutely. I will not of course go into the evidence after what the Chairman has said; but if you take most competent people who gave evidence, and persons who were perfectly trustworthy, you will find how much they were below the mark.

3139. The only reason I asked you about that evidence of the Commission was to show that the opinions which you are putting before this Committee are not arrived at haphazard, but after a very careful study of every source which has been available to you?—Certainly.

3140. Including all the evidence which was given at that important Committee, and that still more important Commission?—Yes, and from being struck with the way in which every one has under rated the demand for water, and generally also over rated the future supply; and I believe that further evidence will be given showing that the same thing has been done in other cases in the North, and elsewhere. I should like to mention one other point connected with the Commission of 1869, that is, that they pointed to storage reservoirs in the valley of the Thames. That is a very important point, and we shall lay evidence before the Committee upon that subject. They appeared to think there would be no difficulty in storage reservoirs in the upper valleys of the Thames, but from evidence we have got it appears that there would be very considerable difficulty in that.

3141. The conclusions which you have arrived at, and which the county council have arrived at, after all the consideration which you have given to the matter is that this question of independent supply must be fully, and carefully, and finally considered before the purchase question is actually carried out, it is not so?—Certainly.

3142. You have convinced yourself that in some way or other this question of supplemental, or alternate supply will have to be dealt with?—I think so. When I say I have convinced myself, I state that I believe that in point of quantity I am pretty nearly satisfied that the thing will have to be done, but as to the mode of doing it, as to how far one supply in one quarter, or another in another quarter, will be sufficient, as to the whole of that, and where a new supply is to come from, upon all that our very case is that we want much further inquiry.

3143. Bu if that question is to be adequately considered and properly carried out, do you consider that it should be dealt with by the central authority, and not by the water companies?—Most distinctly. If there is to be a new, large

Mr. *Freeman*—continued.

undertaking, an immense undertaking, such as Liverpool and Manchester have undertaken for bringing water from distant sources, with the present state of feeling upon the subject of water supply, I can never think that Parliament would for a moment allow that to be done by the present companies. I feel sure that is a thing which in the present temper of the people must be done by municipal authority.

3144. And as a first step towards that result do you consider that the negotiations which have been taking place between the county council and the corporation, and other persons interested, puts you for the first time in a position in which you can see a reasonable prospect of carrying that forward?—I think so; that has been our object.

3145. And it has been the most serious and earnest wish of the county council for some time past to be in a position to satisfactorily and actively carry this forward and not merely to criticise other Bills?—Certainly.

3146. There is only one other matter which I want shortly to ask you upon I think. You have dealt with the question of the council being put in such a position as to adequately consider the question of a further supply and if necessary to carry it out. Now turning to the machinery do you consider the council should be put in a position to deal with the various companies with respect to the distributing machinery?—Yes; I think the council would wish to be put in a position to negociate with the companies; of course any arrangement they may come to with the companies to be subject to Parliament.

3147. And as I understand the position you now take up, and are prepared to support before this Committee, is that if powers are given the council such as they desire to deal with this matter they will push forward with all available speed, and so far as in them lies, with the sanction of Parliament, conclude this question?—Yes. First of all, to inquire into the question of a new supply; secondly, if it should prove necessary to have a new supply, schemes for a new supply; thirdly, arrangements with the companies for purchasing from them such part of their works as are valuable.

3148. As far as I know, I think I have asked you the principal parts upon which you were desirous to give evidence, but as I had not the pleasure of being in the room all the time, if I have omitted anything, will you kindly say so.

Mr. *Bristowe.*

3149. Before you go to another subject, would you kindly say whether you have formed any estimate of the time which it will take to investigate the question of a new source of supply; because I rather gathered that your feeling, and the feeling of the council, was that some arrangement should be made for taking over these companies as soon as possible. I want to know whether you have thought how long the investigation of the competitive supply will be likely to take, because I understand you say it will be very comprehensive in character?—It is is an extremely difficult thing for me to answer that.

3150. I know

Mr. *Bristowe*—continued.

3150. I know it is difficult, but I did not know whether you had formed any idea upon the subject?—It is a subject which has been perpetually pressing upon us, and a resolution of the council (which I read to you in the first instance) which our Chairman objected to as being perhaps, a little dictatorial, to the Government was passed, asking them to institute such an inquiry as might be concluded during the present Session. That is out of the question at present, but we are pressing forward this inquiry as fast as we can. Our engineer will be able to tell you more than I can, but if we were coming to a conclusion that a new supply was necessary, and we had the power to bring in a Bill, it is a very serious thing to frame a scheme, to give notices, to get all your apparatus for aqueducts and everything that may be necessary, so that I should be very sorry to give any pledge whatever upon the subject.

Mr. *Freeman.*

3151. There is one matter arising upon the question of the honourable Member. As a preliminary condition you require power to obtain information from the companies themselves, do you not?—Yes.

Mr. *Lawson.*] The council has no power at the present moment to compel the attendance of any witness, or the production of any paper, has it?—No, they have no power whatever of any sort or kind.

3152. Nor, I understand to conduct any negoitation with the companies quite independent of a final arrangement of the scheme?—I really can hardly say how we stand there. The clause that enables us to spend 5,000 *l.* includes the word "negotiation," but what that means exactly I do not know. We have tried negotiations with the companies, and they have refused to negotiate. We cannot compel negotiation.

Sir *Algernon Borthwick.*] Does the council work expire as Parliamentary work does with its life?

Mr. *Lawson.*] Its powers under its annual Act?

Sir *Algernon Borthwick.*

3153. What I meant to ask was this; if the county conncil were carrying out a great work like this, would the next county council take it up at the point at which it was left, or does its work expire as all Parliamentary work expires, with Parliament?—I do not think the work would expire, I think the council is a continuous body like any municipal body. Of course it would be in the power of a new council to reverse the policy of the old council.

3154. Certainly?—But suppose the council prepared the Bill, and gave notice of the Bill the new council if they came into existence in November, or January next, would be able to take that up and go on with it if they pleased.

Mr. *Lawson.*

3155. Or to drop it, or to withdraw it?—Of course it would be in their power to reverse the policy of the old council. Of course it is a question how far it is desirable that the constituencies should have this question before them before the next election. I had intended to read to the Committee, but it is quite unnecessary, I think, two paragraphs from the Report of Sir William Harcourt's Committee.

Mr. *Freeman.*] I saw that in the proof, but I thought from the evidence you had already given the Committee were sufficiently seized of that.

Chairman.] I think so. I think we are very familiar with that Report, all of us.

Witness.] If the Committee wish for any explanation there is a passage in that Report which refers to what Parliament did in the case of gas companies.

3156. The regulation, you mean?—Yes, and the way in which that was done.

Mr. *Rickards.*] There is no proposal in the Bill to "regulate" the companies. It is outside the Bill.

Chairman.] It would be a great assistance to the Committee to have Sir Thomas Farrer's views upon it, even if it is outside the precincts of the Bill. There must be some latitude in a case of this kind.

Mr. *Rickards.*] Certainly, Sir. I did not wish to interfere.

Chairman.] The Committee would be glad to have Sir Thomas Farrer's views upon that.

Witness.] If you will allow me I will put in a return of the Board of Trade on the Metropolis Gas Bills of 1876, which contains a statement made of the mode in which the gas companies were dealt with. I think that might be of some value and interest.

3157. I think it would be?——

Mr. *Lawson.*] It is your work, is it not, if I might ask the question?—Well, I had something to do with it.

Mr. *Freeman.*

3158. You are very well acquainted with it, at any rate?—Yes. (*The document was handed in.* Vide *Appendix* I.)

Mr. *Erskine Pollock.*

3159. Will you give us the reference to that last Report; then we shall be ahle to look at it? It is a Return made "to an Order of the House of Lords, dated 25th July 1876."

Mr. *Freeman.*] That, Sir, will conclude the examination in chief of Sir Thomas Farrer.

Chairman.] Then I think it would be desirable to adjourn until to-morrow morning at half-past Eleven.

Wednesday, 3rd June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. Murdoch.
Sir Matthew White Ridley.
Mr. Rountree.

SIR MATTHEW WHITE RIDLEY, IN THE CHAIR.

Chairman.] WE are not a quorum yet, but we are quite ready to go on. We shall have the quorum directly, no doubt.

Mr. *Pember.*] I am quite willing to go on.

Mr. *Freeman.*] Before my learned friends cross-examine, I desire to mention that by an error of the printer the various documents which were to have been put upon the notes, and which the shorthand writer very properly thought would best come in an appendix, were not printed last night; it has nothing to do with the county council, but they will not be ready until late this afternoon. Therefore I desire to say publicly that when my learned friends come to cross-examine, anything we can do in handing them the originals we shall be only too pleased to do to assist them. It is not our fault that the papers are not ready.

Chairman.] I have already had an explanation that it was owing to a miscalculation; that the numbers of the staff were not sufficient; and it has taken rather longer than was expected.

Sir THOMAS H. FARRER, re-called; and further Examined.

Mr. *Freeman.*

3160. I want, if you please, to get two or three dates upon the notes (they will not take more than two or three minutes) from Sir Thomas Farrer. (*To the Witness.*) The report which you referred to yesterday, of the Parliamentary Committee, was presented to the London county council on the 17th February 1891?—It was before them at their meeting of the 17th February; it was probably circulated three or four days previously.

3161. It was placed on the agenda paper for the date of the 17th February 1891?—It was.

3162. That is the report, a very important document, which you handed to counsel yesterday engaged for the various bodies. I do not know whether it was handed to the Committee; that is a long report from the Parliamentary Committee?

Chairman.] I do not think we have had that.

Mr. *Freeman.*] I am very desirous that honourable Members should have that.

Chairman.] No, we did not have that report.

Mr. *Pember.*] What is the date of it?

Mr. *Freeman.*] It was handed in on the 17th February 1891.

Chairman.] It was 10th March; I have got that date down as the date of the report.

Witness.] The date of the report is the 12th February. It was before the council on their agenda paper of the 17th February. I do not think that the Committee had it yesterday. I did not refer to it at length, because I did not wish to trouble the Committee with a report which practically contains what I told the Committee afterwards in my evidence.

Mr. *Freeman.*

3163. That was a report upon the whole of the six Bills which were referred to this Committee?—It was.

3164. The three private Bills and the three public ones: The Metropolis Water Supply, the London Water Meter Bill, the Metropolitan Water Companies' Charges?—It was.

3165. And the London Water Commission?—Yes.

3166. That report dealt very fully with the whole of the question which the county council have subsequently been considering?—Yes, it did, very fully.

3167. It was, as you say, placed on the agenda of the 17th February 1891, and was then deferred?—It was then deferred.

3168. Then was the reception of the report by the council again deferred on the 24th February?—Yes, it was again deferred.

3169. And on the 3rd March?—Yes.

3170. On each of those days, I believe, the report was put upon the agenda and was in the hands of the members?—It had been in the hands of the members the whole of that time.

3171. On the 10th March was that report discussed by the council?—Yes, it was.

3172 And was the recommendation No. 1, that the opposition to the London Water Commission Bill be continued, and that the Metropolis Water Supply Bill be opposed, adopted by the council?—It was without opposition.

3173. Then

Mr. *Freeman*—continued.

3173. Then was the second proposal debated?—The second proposal was debated.

3174. That second proposal was: "That in the event of these Bills being referred to a Select Committee, we" (that is, the Parliamentary Committee) "should be instructed to intimate to the Committee, on behalf of the council, that this council approves the principles indicated in this report, and is prepared to undertake the question of the water supply of London, subject to the following conditions: that power should be conferred on this council for the introduction into Parliament of Bills dealing with the water question, including the establishment of a new supply, and the improvement of the existing supplies, should further investigation prove such a course to be desirable; and that the chairman of the council be requested to introduce into Parliament a public Bill with this object, with a view to its being referred to the same Committee as the several pending water Bills." On that 10th March there was a debate on that second recommendation?—Yes.

3175. Then on the 13th March was the debate continued?—The debate was continued.

3176. And that second recommendation which I have just read was then adopted?—It was then adopted; not without debate, but without division.

3177. On further debate, but without division, it was adopted?—Yes.

3178. Then was recommendation No. 3, that copies of this report be sent by the clerk of the council to each vestry and district board in the metropolis, and sufficient numbers, adopted?—It was.

3179. Therefore, on all those occasions, this report was very carefully considered and debated by the council?—Yes, it was; so that the council was in absolute possession of all the points of policy which are brought before the Committee in my evidence.

Mr. *Rickards.*] Before my friend Mr. Pember begins his cross-examination, Sir, may I say this: Mr. Bidder applied on behalf of the water companies to be allowed to cross-examine the witnesses of the other petitioners (which, of course is to a certain extent an irregular and unusual proceeding, although I admit not unreasonable under the circumstances), and, of course, I ask that I should have the right to cross-examine upon their cross-examinations.

Mr. *Pember.*] Oh, yes.

Mr. *Rickards.*] Because it is obvious that they will use the witnesses for the other petitioners as far as they can for the purpose of defeating my Bill. There is no doubt whatever about that. I mean to say I have to reply on the whole case; therefore I assume that I shall be allowed to cross-examine last upon the cross-examinations of my learned friends; because matters will arise which will be, or at any rate, which may be antagonistic to my Bill; and, of course, the Bill itself is on its defence now.

Chairman.] We had better see how it goes on, Mr. Rickards. You see the cross-examination of the water companies will be upon the evidence in chief of Sir Thomas Farrer, and therefore I imagine that you, cross-examining upon his original evidence, will practically carry what you wish.

Mr. *Pember.*] Practically.

Chairman.] Practically what you wish will be carried by the usual course of cross-examination.

Mr. *Rickards.*] There is no doubt about this, that the water companies and other petitioners will utilise, as far as they can, Sir Thomas Farrer as a witness against my Bill.

Chairman.] The Committee I am sure will give you every reasonable latitude, Mr. Rickards.

Mr. *Rickards*] I am very much obliged to you, Sir.

Mr. *Pember.*] I propose, now, with the consent of my learned friend Mr. Pope, to ask a few questions mainly for the East London Water Company and the Grand Junction. I dare say a good many of my questions will be general, but, of course, that will not prevent my learned friend, Mr. Pope, asking anything he may think fit and proper for the New River Company, or anybody else for whom he appears, and, of course, the same holds good for all my learned friends who are appearing for other water companies. I mean I do not want to monopolise the position at all.

Chairman.] I hope it will be understood that, so far as possible, the learned counsel will arrange that there should not be any repetition of the cross-examination more than is necessary.

Mr. *Pember.*] I think that is why my learned friend, Mr. Pope, is here.

Mr. *Pope.*] I am here in order that I may not repeat anything which may be asked by my learned friend.

Cross-examined by Mr. *Pember.*

3180. I want to clear the ground for future questions, and in order to do that I will ask you one general question to start with: Are you prepared to admit that so long as the companies perform their duties to Parliament and the public they have a right to the consideration which had been guaranteed to them by Statute for so doing?—I think any reasonable person may admit that.

3181. I think so. That consideration, of course, obviously involves, first of all, all their statutory rights with regard to dividends?—Whatever those rights may be.

3182. That is what I say; it includes all their statutory rights as regards dividends. Further, do not you think that it also includes, so long as they do their duty, the undisturbed possession of the districts assigned to them?—No, I do not.

3183. You do not? Now, in the first place, any disturbance that you think is fair; of course, you think that sort of disturbance would be fair?—I should apprehend that no disturbance could be made or would be allowed by Parliament which was not fair.

3184. Quite so. In the first place, do you know of any important instance through the country where a corporation has been allowed to come in and compete with a water company serving its public and doing its duty?—I said yesterday

Mr. *Pember*--continued.

that I did not intend to go into precedents, and I based myself on what Sir William Harcourt's Committee did, who refused also to go into precedents. I have a very small knowledge of precedents myself; and I am satisfied that, without much greater time and attention than I could pay to precedents I should be liable to be deceived by them, as I pointed out yesterday; Mr. Smith was deceived by the Birmingham precedent.

3185. I suppose I may take it therefore that you could not give me any such precedent?—I have no such precedent. I have told you I do not go into precedents at all.

3186. May I ask you whether you are aware of this, that with the exception of London, which is excluded from the operation of the Public Health Act, it is illegal by Statute that they should do so?—I do not think that is exactly an accurate statement of the case, so far as I know the Public Health Act. I am quite aware of the provisions of the Public Health Act.

3187. Of course I am aware that Parliament could do what it liked by a special Act, that is why I asked you for precedents; but subject to that is not the provision of the Public Health Act this: that no corporation or public authority shall construct waterworks in a district where there is a company authorised by Parliament which is able and willing to supply water?—I speak from memory, but to the best of my recollection what has happened is this——

3188. It is not a question of "what has happened"?—I am coming to that, and I will tell you how it happened.

3189. I want to know what is in the Statute first; have I not given a proper description of the Statute?—Yes, you have given a proper description of the Statute, but not a complete description of the Statute. The Statute, to the best of my recollection (I am speaking from memory; I have not looked at it lately)——

3190. I have it here now?—Allow me to say that the Statute is an enabling Statute giving the local authorities powers to establish waterworks, and from that power are excepted the cases in which there are already joint stock companies supplying water. It is an exception to an enabling power, and of course Parliament might at any time, if it pleased, abolish that exception.

3191. Quite so, that is why I asked you, and if you do not mind my saying so, that was the pertinence of my question. Can you give me any case outside London where Parliament has done such a thing?—No, I do not pretend to have the precedents at my fingers' ends, and I cannot. I do not say there is no such case.

3192. I think it is just worth while to read a few words from Section 52, if you do not mind my doing it, of the 38th and 39th Vic., Chapter 55; in other words, the Public Health Act, 1875, which contains this prohibition: "It shall not be lawful for the local authority to construct any waterworks within such limits, if and so long as any such company are able and willing to supply water proper and sufficient for all reasonable purposes for which it is required by the local authority"?—That is so; it is one of the many enactments which the companies have obtained, and succeeded in obtaining, crippling the action of municipal authorities.

Mr. *Pember*—continued.

3193. Do not let us import any animus into the matter; I assure you I have none; and I beg leave to state that I am dealing simply with a clause in a public Act of Parliament?—You are perfectly right about the clause, but you give a wrong impression unless you have some knowledge of the whole current of legislation, so to speak.

3194. It may be that I flatter myself, but I rather think I have, as far as general "current" goes, however I do not want at present to be borne along with it, but to point that out. I think we have cleared a bit of the ground; now once more let me ask you this; you have said enough to warrant my asking you this question: do you suggest that the county council, or any water trust which might be created, should be allowed to compete with the water companies in London?—If necessary.

3195. Stop a minute; "if necessary," of course, everything ought to be done if it is necessary; but that is, in fact, your suggestion, is it?—My suggestion is, in the first place, that if there is to be a large new scheme of supply from a distance, that that scheme shall be put into the hands of the municipality, and not into the hands of the companies.

3196. That is a different point?—That is my first suggestion.

3197. I quite understand you make that suggestion, but do you suggest, and is it a part of your scheme and intention, that if the new water trust, which you suggest should be started, see their way to it, they should bring in a new supply to compete with the companies in London?—If it should prove necessary, which I do not think it would.

3198. I am afraid I must ask you, though it may perhaps lead us a little far; what would render it necessary in your opinion?—A determination on the part of Parliament that the municipality should become the possessor of the waterworks, and an exorbitant demand for compensation on the part of the companies.

3199. Very well, that is your notion. Then I must ask you to define what you mean by "an exorbitant demand for compensation on the part of the companies"?—That leads me into the question of what is the price which should be given; and that is a question I am not prepared to answer, and not commissioned to answer.

2200. You have said you thought competition would not be necessary, but that you considered it would be necessary if two conditions came about; first, that Parliament said that you should be bound to purchase the companies, and, secondly, that the companies demanded an exorbitant price. Now I ask you for a definition of the word "exorbitant"; do not you really mean, after all said and done, by it, what I am bound to say I should mean myself, that is, that it is more than you feel inclined to give?—"Exorbitant" is a word that will be construed very differently by the seller and by the purchaser.

3201. Quite so; in fact the seller would define it as more than a man would like to give; and the other man would define it as more than he ought to give, I suppose?—It is a very elastic term.

3202. It is a very elastic term. However, your contention therefore would be, that the moment

Mr. *Pember*—continued.

moment you and the seller came to that point, that you should be allowed to come in and compete?—No, not exactly that. My meaning is this: that the price to be given to the companies should not be considered as a price to be given to persons who have a legal monopoly.

3203. We will not go into the question of what might lead to the difference, or what might be the terms of the arbitration, because that is a separate matter altogether: but at all events you think that the moment the price came to what, for any reason you considered to be exorbitant, that moment you ought to be allowed to compete?—If I were to answer you that I think competition is not admissible, it would at once be admitting that you have a right to a monopoly price.

3204. I am not asking you at the present moment to admit that. We start with the hypothesis of what you think it would be. Now, I want to see the conditions under which you think it would arise. The first condition would be the point of time, and I take it from you that you consider the point at which the competition would arise would be the moment when you and the companies irrevocably differed upon the price?—Yes, which I do not think we should.

3205. Possibly not. I hope there is still a spirit of fairness left in the county council?—And in the companies too.

3206. That I know. We have got to that point. Now I want to see a little of what the consequences of such a competition would be. In the first place the companies would find themselves face to face with a body with practically an unlimited command of public money?—Yes

3207. And which would be in this happy position; that neither they nor their creditors—(the bondholders who hold their stock)—need depend simply on water rents; there would be the water rates at the back of them?—No doubt; there would be the rates of the metropolis at the back.

3208. If, therefore, the county council wished to bring the companies down from the exorbitant point, to the point they considered a reasonable point, they really could reduce the water rents that they would charge, and recoup themselves for the loss out of the rates?—Provided Parliament allowed them to do anything unreasonable.

3209. Stop a minute. Just think for a moment?—You are not to speak about this as if it were a thing that could be done by the county council without the leave of Parliament. Their hands are also lately tied.

3210. Stop a minute; just think for a moment. Unless they could reduce the water rents—there would be no advantage to the consumer. If the water rents charged by the county council were to be as high as any water rents charged by the companies there would be no advantage to the consumer. That is so obviously is it not?—Yes. I do not quite see the bearing of your question.

3211. That I think is very likely. However, that is a point; therefore there would be the opportunity of such a competition. We must all admit that frankly; speaking as between two men of the world, we must admit that there would always be the power in the hands of the county council, if they disagreed as to the amount which the companies ought to get for their water, so to cheapen them, by a competition carried on under

Mr. *Pember*—continued.

those circumstances that I have mentioned to you, as practically, to bring the water companies on their knees?—Supposing that the council had a free hand in the matter, and supposing that the ratepayers allowed them to spend the rates in a ruinous commpetition.

3212. But supposing that the ratepayers were told that the result of the competition, though expensive at the moment to the ratepayers, would be ruinous to the companies, and that the ratepayer would eventually be able to buy the companies' works for a mere song?—That is what happens with every competition. Supposing the ratepayers had to pay more for this competition, and I take it if there were competition there would be a considerable addition of expense, then it would be extremely foolish on the part of the municipality to engage in that competition.

3213. That I am not quite clear about, you know. However, I have put the point to you and we will see how it affects other people's minds. Now I think I may come to something else. I started by putting my hypothesis as to the companies having faith kept with them on the ground that they had performed their duties. Of course, if they have not performed their duties, I have not very much to say. Now, in your judgment, have the companies performed their duties?—I have made no accusation against them.

3214. That I am aware of; but would you mind carrying that negative answer to the point of positivism: have they performed their duties?—I see complaints, but I do not think they have amounted to a great deal, I must say. I can give you only an impression, for my information is very incomplete. But I make no charge against the companies—that I wish to say distinctly.

3215. No; I do you the justice to say you have not, and now you have said all I can expect you to say in fairness in the box in their favour—that although you have heard complaints you do not think very much of them; I will just follow that up by one or two questions?—I am not saying anything now about the question of rates.

3216. No, certainly no.—I am now speaking of the supply of water.

3217. Quite so, of course law is law; we cannot discuss that as a question of justice or injustice—there it is. But now as to *duty*. There is no scarcity of water up to date; I think you will admit that?—I think London is *well* supplied.

3218. And as to quality; is not the quality good?—I think I stated all that I could state about that yesterday.

3219. As a matter of fact, you did say something about it yesterday; but I rather wanted to know how you base your opinion as to the quality. Have you seen, for instance, Dr. Frankland's report, in 1889 or 1890, I forget which, I think it is 1889?—I said yesterday that I did not attach much value to the chemical analysis myself.

3220. Do not you?—Not a great deal.

3221. Let us see what you quite mean by that. For instance, if Dr. Frankland, who is a public authority, says that the water is very

Mr. *Pember*—continued

good, should you not attach importance to that?—Yes; I think Dr. Frankland is a very good authority. We are going to call him as a witness; so that you will have his opinion first hand.

3222. Of course if he is coming as a witness I shall hear what he says; but I see that he speaks very strongly as to the goodness of the water?—I made no charge against the quality of the water. I pointed out certain dangers which, according to the reports of the skilled experts of the Local Government Board, might at any time arise. I did no more than that.

3223. Now the Local Government Board report is equally favourable. Have you read any of their reports of late years?—Oh, yes; I may now state once for all that I make no charge against the quality of the water. I only point out certain dangers which, according to the opinion of those experts, may at any time arise.

3224. I should just like to read to you what they do say?—You may take it as admitted if you wish.

3225. That the quality is good?—I will admit that there are plenty of passages to say that the quality of the water is good.

3226. That will save me the trouble of reading them, especially as the markers have been removed from the right places; and you admit that there is nothing to object to in the Thames water as at present supplied?—I think that is going a little far. I think that what I said yesterday shows that there was a case for inquiry.

3227. That leads me to ask: what was that you particularly allude to when you say, "What I said yesterday"?—What I read was a very striking passage from the last report of General Scott, in which he stated that those who had any responsibility for London water could not but feel great uneasiness at the condition of things in the Thames Valley, where all sorts of sources of impurity were constantly poured into the streams, and possibly into the water; and I read another report from Dr. Blaxall, in which he pointed out how those impurities may not only run into water above ground, where the Thames Conservators might possibly prevent them, but might also percolate through the gravel from cesspools and so on into the Thames.

3228. But still, as a matter of fact, as all these reports show, reports of the Local Government Board who have had to consider all this as well Dr. Frankland, the danger which he speaks of as a risk does not seem to manifest itself in a result?—No, but it leads to this: that you might at any time if you had one of those diseases in the upper valley of the Thames possibly have the disease communicated to London. At any rate you might have a panic in London about it. However, I confess myself extremely ignorant upon that point, and would much rather refer you to the scientific witnesses who come afterwards.

3229. As far as I can go with you then you have nothing to say against the quality of the water?—I am not in a panic about the quality of the water myself.

3230. There is a third point that suggests itself to me as a point where the companies might not have performed their duties. We have gone through the quantity of the supply and the

Mr. *Pember*—continued.

quality of that supply; now for the price. Will you take it from me, if you do not happen to know it yourself, that it really works out to this: that water in the quantity and quality that we have been talking about is supplied to London by its water companies at a price of sevenpence a thousand gallons?—I really cannot answer that question.

3231. Should you be able to say whether that is cheap or dear relatively to the supply given to other towns?—No, I cannot tell you that. Mr. Cripps is prepared with a good deal of evidence upon that subject.

3232. Then that is a point we will postpone; I may as well say at once that we shall be prepared with evidence to show that it is cheap relatively; now there is a fourth point which strikes me, and which might be worth consideration, that is, whether the companies up to this time have or have not had excessive remuneration; do you know what the average return of interest on the capital employed in the supply of London has been up to now?—Do you mean over a long period?

3233. Yes, the average return of interest over a long period?—No, I could not tell you. I have been very anxious to get that, but I could not get it.

3234. If I were to tell you that it works out at a little over 6 per cent., would you consider that excessive?—Do you mean from 1852, or from what period?

3235. Certainly; over a generation or two?—Going back probably to the period when the water companies obtained their present tariffs.

3236. Do you know, for instance, that in 1850 the water companies in existence then were spoken of in Parliamentary Returns as losing concerns?—Yes; and very probably they were, because they were competing with one another before they districted London among themselves.

3237. Whatever they may have been doing at that time, I put it to you, and we shall prove it, that the return on capital involved in the supply of London is a little over 6 per cent. up to now?—That may be so; and I hope when you put that in, you will give us the whole history of the dividends, not simply the average, but year by year what the dividends have been, and the percentage on the capital spent.

3238. Clearly the thing, if worth doing at all, must be done exhaustively?—Quite so.

3239. On the assumption that it turns out that there is no criticism to be made on that figure, on that assumption which you may consider at the moment a violent or an incautious one for you to conceive, and I only put it as hypothesis, on the assumption that that figure is not challengeable or qualifiable, do you consider it an excessive amount of remuneration?—I should have said it was not an excessive amount of remuneration; but I should have thought the more pertinent question was, what amount of return they were now receiving, and what amount of return they were likely to receive.

3240. Quite so; but in considering that, which I admit is a factor also, and what you shall also get, it is fair to take into consideration the risk they ran when they found the money, is it not?—Certainly

Mr. *Pember*—continued.

—Certainly. That risk was very considerable when they competed with one another.

3241. No doubt; but passing from the past to the future, and to the present also, you know, of course, the conditions under which of late years Parliament has alone permitted the water companies to raise capital?—I know that there has been a great struggle to prevent them from obtaining profit upon the new capital, so as increase the purchase value.

3242. And a struggle which, I think, we may all admit has been successful?—I am not quite so sure about that.

3243. Do you know that the rate at which capital is raised now under the auction clauses, and the necessity Parliament puts upon the companies to raise the money by loan, has resulted in this: that the capital for new works is now raised at something like 3½ per cent., I think nearer 3¼ per cent.?—I should think it very likely.

3244. If that is the rate at which Parliament in the exercise of its control, and its discretion guiding that control, forces the companies to raise their money, and that is the power they have of raising the money too; could the London council raise money any cheaper?—They raised some of their last loans at less than 3 per cent., but that is not the simple question; the simple question is, what becomes of that capital, and what return is made of it, and what do the companies make out of that?

3245. That we will go into with you; but I want just to get an initial answer to my question from you. Supposing that the London county council had to go and raise, we will say, 15,000,000 *l.* of money for a new supply, or an additional supply of water to London; do you think they could raise that money under 3¼ per cent.?—I am unable to say; but I do not think the water companies would raise it at 3½ per cent.

3246. That is another point. Do you think you could?—I am not financier enough to tell you. I can tell you this, because I looked at it the other day myself: the Metropolitan Stocks stand higher in the market than any ordinary stocks, and any stocks other than British Funds.

3247. I dare say it does?—That is not the case with the water stocks

3248. I should like to know in your judgment, if you had to raise 15,000,000 *l.* or 20,000,000 *l.* of money, at what figure would you expect to raise it?—You must ask that question in the City. I cannot answer it.

3249. Have you considered it?—I have not the least doubt that they could raise it cheaper than the water companies.

3250. Quite apart from water companies, have you considered at what price you could raise such a sum of money as that?—No, I have not. It would depend upon the condition of the market and a good many things.

3251. That is one aspect of the case of the position in which the companies or the county council would be for the raising of money. Now we will suppose that more water is wanted; would not the companies be just as well able to get it as the London county council?—Not without much more joint action than they have shown hitherto.

3252. To begin with. I know nothing to prevent joint action. Do you?—No. If I had been the adviser to the companies I should have

Mr. *Pember*—continued.

advised amalgamation and joint action long ago. Perhaps I may answer that question in this way: when I was at the Board of Trade, we did our utmost to promote amalgamation, and we successfully used our efforts to promote amalgamation amongst the gas companies, to the very great advantage, I believe, both of the gas companies and the public.

3253. However, leaving the question of amalgamation aside for the moment, and taking record of your opinion that they would be able to do it better by joint action than severally, of course the condition of the various companies with regard to the necessity for more water differs very materially?—Oh, very materially.

3254. What would there be to prevent each company, either by means of storage in the Thames Valley or by means of going to the chalk, or what not, getting what supplies they wanted, if Parliament gave them the requisite financial power, and the requisite powers to construct works, to buy land and so on; what is there to prevent it?—When I see a plan of that sort I will give my opinion upon it, not until then.

3255. However, you have got no plan of your own?—No, we are endeavouring to make one.

3256. Then as far as that goes we are all in the same boat?—Clearly; only you have been at it for a good many years.

3257. Therefore might be supposed to know a little more about it?—And we have been at it a very short time.

3258. Therefore we might be supposed to know a little more about it?—I think you do know a good deal about it, and have the advantage of us in that.

3259. Let us go to the third point: we have touched upon the power to raise money; we have touched upon the power to go for water if Parliament will encourage them: have you any reason to suppose that if Parliament did properly encourage them by giving them fair terms that they would be unwilling to get any more water than would be necessary for the supply of their districts?—I know nothing about the intention of the companies, but if——

3260. Would any sane man suppose they would not be willing?—If the raising of money were to cause the loss to them which Sir Henry Knight has told us the raising of 300,000 *l.* has cost the Southwark and Vauxhall Company, then the raising of the 10,000,000 *l.*, 15,000,000 *l.*, or 20,000,000 *l.* that would be requisite for the new supply, would cause them a very serious loss.

3261. Yes, that is what anyone may have said under special circumstances; that, of course, at the present moment I have nothing to do with; but there, again, on the supposition that they were properly encouraged by Parliament, that is to say that Parliament gave them fair terms (and not involving loss, of course), have you any reason to suppose that the companies would not be willing to extend their operations so as to go on doing what they are now bound to do by Statute; this is to say, give a full, good, and wholesome supply of water to London?—I think if you give the companies sufficient motives in increased profits to do it, they would very probably do it.

3262. When you say: "motives in increased profits," to begin with, to maintain their present

Mr. *Pember*—continued.

position with regard to their present capital, they are bound to fulfil their Parliamentary obligations, and give an ample and wholesome supply, are not they?—Yes.

3263. Is not that motive enough?—They do not earn their water-rents unless they do that.

3264. That to begin with is a very strong motive, is it not?—Yes; then the question is, how much will they have to pay out of those water rents for the new supply.

3265. Quite so; now let me see; suppose the new supply were to cost, in the case of some one company, a couple of millions of money; I assume that couple of millions of money would be raised by loan, and by the auction clauses?—And you have to consider what it would ultimately produce.

3266. Quite so; that is exactly the point I was coming to; and, of course, before the companies go for it, they and Parliament both would have made up their minds that it was necessary, and being necessary, that there would be water rents to pay the interest on the money?—Yes, but the question ——

3267. Necessity presupposes the question of water rents?—Yes; then the question at once arises whether the profit arising from an increased extension of their works, the ultimate profit, is to go into the pockets of the water companies, or into the pockets of the municipality.

3268. We will come to that. When you talk about profits arising from that money going into the pockets of the water companies, to begin with, as far as their own capital is concerned, they can but pay 10 per cent. dividend, and get their back dividends; when they have done that, they are at their limit?—I have no faith in the 10 per cent. limit myself.

3269. What do you mean by "faith" in it?—I think, what Mr. Paget used to call an easy ten per cent. is the worst possible——

3270. What do you mean by an "easy ten per cent"?—An easy ten per cent. is the worst possible mode of encouraging economy or efficiency.

3271. Wait a moment; I do not think you saw the motive of my question: whether the profits arising from the expenditure of new capital should go into the pockets of the companies or of the ratepayers, or of the public authority; that was your suggestion?—Yes.

3272. Now, I say, suppose a company is in possession of its full 10 per cent.?—Yes, you assume that you have got to the limit.

3273. I will assume that first?—I should say that if your present dividends are 6 or 7 per cent., and you have to raise this money at anything like the loss at which that 300,000 *l.* was raised, your dividend will not be 10 per cent. for a good long while.

3274. Excuse my saying I am not going to allow such a question as this to be judged by the particular conditions under which a certain sum of 300,000 *l.* was raised—Those are the conditions to which you have appealed as the conditions which Parliament has imposed upon the raising of money.

3275. Excuse me; I appeal to no conditions at all; I simply suggest this: where there is a company, take any company, say company A, it is unnecessary to name any one, which is paying its full dividends, and therefore you might say

Mr. *Pember*—continued.

would be inclined to be lethargic.—You assume they are paying full dividends?

3276. Yes, I give you the most lethargic company, a comfortable company, that could, as it were, get no more benefit. We have already agreed between us that the motive they would have for maintaining their Parliamentary position, and fulfilling their Parliamentary contract for the purpose of maintaining that position, namely, to go on supplying an ample and wholesome supply to their district, would be a very strong impulse towards their asking Parliament for such money as was requisite for that purpose. Now, we all see the conditions under which that money would be raised; of course they would not ask for it, and Parliament would not insist on their doing it until there was a suggestion that the works represented by that million of money, or two millions of money were wanted?—No.

3277. And what is connoted by the works being wanted means that there would be additional water rents to be paid by the persons who would take the water?—Yes, ultimately; but in the meantime there is a large expenditure of money without a corresponding income.

3278. For the moment. That would be the case equally with the local authority?—Yes, it would.

3279. Cannot you conceive Parliament taking this line about new capital or capital to be so expended, that the company should have first of all a power to raise not only the money upon a certain interest by the auction clauses, but that over and above the mere interest of such capital it would be fair to give them something to cover management, guarantee to a certain extent risks, and so on?—I am with you to this extent; that if the companies are to continue, if it is not to be a question of purchase, but if the companies are to continue, then I think it would be right, in order to give them an inducement to do their best, and give them some profit on any capital they might raise for the new undertaking. I am with you to that extent, but then you have to look at it from the other point of view; that is, of the possible purchase.

3280. "The possible purchase," yes?—That is quite another point.

3281. That is quite another point altogether?—Yes.

3282. Now that being so, I want to know if my sketch of the future of an ideal water company is a fair one; a company which gets its statutory dividends which Parliament has guaranteed it, or rather which Parliament says it may have with regard to old capital and with regard to past time, and which goes on to maintain its position of a company supplying ample wholesome water, and maintains that position by expenditure from time to time, upon which it only gets a slight margin over the interest which it is absolutely necessary for it to pay on the capital, if that state of things were to go on with regard to the whole of the companies, where (sentiment apart, you know) comes in the advantage of substituting a water authority for the companies at all?—If you can be quite sure that in raising the new capital there will be no profit to the companies——

3283. I am afraid very slight?—Equivalent to the expenses of management, or something of that kind, and you can be certain that the management

Mr. *Pember*—continued.

management of the companies with their easy 10 per cent. will be sufficient and economical (mind you, they have no further motive in increasing the profit), if you can be certain that it would be as economical and efficient as the management of the municipality, then I will admit to you that financially (on those assumptions) it is so.

3284. On those assumptions you admit it is so?—Yes; but I do not admit the assumptions.

3285. No; I quite understand that that is a matter of proof or a matter of opinion; but, sentiment apart, there would be no advantage, under those circumstances, in handing over the companies to the council?—We may put it rather shorter than that. If the companies are deprived of their profit; if they are to make no more profit; if there is to be no profit upon the extension, then there would be no profit to come out of the pockets of the water consumers?

3286. Quite so; in fact, I think you assented to the phrase I employed, that, sentiment apart, in such circumstances there would be no advantage in substituting a water authority for the water companies?—Upon all those assumptions.

3287. We will see as to those; recollect, we started with this, that so long as the companies did their duty (you gave me an assent to that), you were not prepared to contest that they had a right to the considerations guaranteed to them by the Statute; that refers to the old dividends, you know?—Yes; but you must remember that whenever they come to Parliament for new capital the whole of their concession is revised. Therefore, when you talk about what is assured by Statute you introduce a new condition.

3288. Let us see exactly the length to which you go. I know I am speaking to a gentleman who wishes to be fair. You mean to say that if such a company as I describe, earning its 10 per cent., were to come to Parliament, through my mouth or that of one of my learned friends here, and say: we think that our district is now growing to such an extent that if we are to fulfil our duties to Parliament and the public we ought to spend millions of money on new works, that would be an opportunity to Parliament to say: you shall not do it unless you will forego some of your 10 per cent.?—Yes, I do.

3289. Let us look and see where we are: That would not be encouraging companies to come to Parliament, would it?—No, I do not think it would.

3290. In fact, would not the result of that be that if companies were treated in that way there would be a temptation for them not to do their duty, and then that would open the door for the local authority, the London county council or whatever the water authority might be, saying: They are not doing their duty, and therefore let us buy them out on our terms?—I think that as long as the companies continue Parliament must give them the capital which is necessary—the question is upon what terms—and if those terms are such as to diminish their profit, then you will reduce their 10 per cent., or whatever it may be; and you contend that if you are to go for ten or twenty millions for a new supply, you will put a great loss upon them and prevent them dividing their 10 per cent.

Mr. *Pember*—continued.

3291. They do not shrink from the chances of that, you know. They have some trust still left in Parliament, and some confidence still left in themselves. Would you mind just telling me this: I take it that your opinion is—at all events let me flatter myself by saying it was, before we had this conversation—your opinion is or was—that the thing would be more economically and better managed by the local authority?—I am something of an old economist, not a modern socialist, but I am inclined to think, looking at the present state of the London water companies, that it would be more economically managed by a central authority. I am quite certain, for instance, that there would not be 26,000 *l.* a year paid to some 50, or 60, or 70 directors.

3292. That is rather a different matter, if you do not mind me saying so; that is a question whether there might not be economy of management worked by amalgamation?—Yes.

3293. And economy of plant probably still greater?—And economy of plant probably still greater.

3294. I put all that under the head of management; that means to say that there are special circumstances connected with the present condition of the water companies which make you think that it might be more economically done by one head; but, setting aside that, do you really think that public authorities manage these kind of things as economically as joint stock companies do, or Parliamentary companies?—I think that is as it may be.

3295. So do I; and in fact I am tolerably confident that it is as it may be, and that it must be as it may be?—I know some public bodies that manage things exceedingly well.

3296. Well, I think I do.—And I know some joint stock companies that manage things worse than any public body I know.

3297. I am afraid you have suffered from the warmth with which you make that remark; but you are not all absolutely at one upon that point on the county council?

Mr. *Rickards.*] Now, Sir, I am very unwilling to interrupt my learned friend, but I must remind you that before the inquiry, before the parties represented here were called into the room, you decided that you would not go behind this decision of Sir William Harcourt's Committee, that it is expedient that the supply of water to the metropolis should be placed under the control of some public body which shall represent the interests and command the confidence of the water consumers. With respect to the particular Bill that is before you I took that as granted and as proved to your satisfaction, and did not call evidence upon it and so forth; and although I am very unwilling to stop or to interfere with my learned friend in his cross-examination of Sir Thomas Farrer, I respectfully think that the matter has been carried far enough.

Mr. *Pember.*] I am much obliged to you.

Mr. *Rickards.*] If you, Sir, are going into the question of independent supply, and they go back upon the principle which you held to be established before this inquiry was opened, this Committee will sit from now till August. There will be no limit to it at all.

Mr. *Pember.*] I think it extremely likely it will.

Mr. *Rickards.*] This is going behind the direct decision of the Committee.

Mr. *Pember.*] Have you not said so?

Mr. *Rickards.*] Yes. I will say it again.

Mr. *Pember.*] Would you mind saying it three times, and then have done with it?

Mr. *Richards.*] No.

Mr. *Pember.*] Now, sir, I do not want to go behind any decision of the Committee, but they have not said a word——

Chairman.] I was about to ask what the point was. I was very nearly suggesting to you myself that I thought you were getting rather upon the point of whether it was desirable that there should be a public authority in London.

Mr. *Pember.*] I have not said a word about control.

Chairman.] No, that is true.

Mr. *Rickards.*] It is arising out of your cross-examination.

Chairman.] When you go to economy of management you are getting rather near.

Mr. *Pember.*] The word "control" does not necessarily suppose that the supply of water should be made by the authority. The supply of water might well be under the control of the authority without its being their own. The gas supply is under control now, but it is provided by companies.

Chairman.] Certainly.

Mr. *Pember.*] Quite so.

Chairman.] The Committee have given no decision as to the purchase of the companies.

Mr. *Pember.*] Quite so.

Mr. *Rickards.*] My learned friend is suggesting, as against the advisability of having a central public authority for water supply, a possible amalgamation, in the future, of the water companies; which is evidently an alternative to this proposition which the Committee have already decided upon.

Mr. *Pember.*] The Committee have not decided on the purchase of the water companies.

Mr. *Rickards.*] I do not say they have, but they have decided upon the constitution, as I understand by this decision, "that it is expedient that the supply of water to the metropolis should be placed under the control of some public body," that means some water authority.

Mr. *Pember.*] I have not said it was not.

Mr. *Rickards.*] "Which shall represent the interests, and command the confidence of the water consumers." My learned friend is now suggesting, as alternative to that, that an amalgamation of water companies might be effected which would not render necessary the control by a public authority, or place the supply in the hands of a public authority.

Chairman.] I do not think Mr. Pember got so far as that.

Mr. *Pember.*] Mr. Pember is not going that length, Sir. I will venture to assure the Committee, all he is doing is putting the views of Sir Thomas Farrer to such a poor test as he is able to put them to.

Witness.] May I be allowed to say that it is putting to me a new case which I did not come prepared to meet.

Mr. *Pember.*] Well, I think that is rather funny.

Mr. *Pope.*] That is the case with all witnesses that they did not come prepared to meet the case put to them.

Mr. *Pember.*

3298. I just wanted, in contradistinction to the evidence you have given to put to you that only yesterday your Chairman, Sir John Lubbock, whom I have the honour of seeing present, said this: that he does not believe that such undertakings are, as a rule, more economically managed by private enterprise than by public bodies. Then he goes on to say what he should prefer, which is the allocation of a certain amount of profit. However you are not, therefore, apparently at one with your own council as to the advisability of going in for a new scheme of competing with public authorities?—Would you mind reading the succeeding sentence, would you read on what Sir John Lubbock said?

3299. Yes, I will read the whole, not the whole speech, because it is too long: "I am one of those who believe that undertakings of this character are, as a rule, more economically managed by private enterprise than by public bodies, and I should have preferred, therefore, that a certain proportion of profit should have been set aside in gradual reduction of the capital of the water companies, as has been, in fact done to a small extent. On this point, however, I was in a minority, and the majority on the council have with them, I believe, the majority in the House of Commons." Do you want me to read any more?—"On this point, however, I was in a minority, and the majority on the council have with them, I believe, the majority in the House of Commons."

3300. Quite so; I am quite willing to admit that a majority of your council are, or may be, as Sir John suggests, of your opinion. However there is a minority, of which Sir John is one, of a different opinion?—Sir John himself is an extremely important minority.

3301. That is what I was going to suggest if he had not been in the room, but I did not like to do it before him?—No one will admit that more readily than I do; but as far as I can see Sir John is in a minority of one on the council, at least no voice has been raised in the council on any of the occasions on which his question has been before it, in favour of continuing the supply of water in the hands of private companies, not one.

3302. There are just one or two matters of detail I should like to ask you about. I see there is the resolution which you read this morning, to the effect that the county council should take power to buy all or some part of the undertakings of the water companies; what is the meaning of that, do you mean that you should buy some one or more of the companies?—That was I think the intention of the words.

3303. That

Mr. *Pember*—continued.

3303. That is the intentton of the words?—I think so. Those are very general words and I do not wish to pledge myself to more than a general intention; it is quite possible.

3304. Here are the words; I see it is on the examination of my learned friend, Mr. Freeman, of you yesterday; you said the position you took up and were prepared to support was, first of all ——?—Will you tell me where you are reading.

3305. Page 174. Question 3147; I do not want to pin you to your exact words, we all of us occasionally want to qualify them, as far as that goes, but the question is in this form: "And as I understand the position you now take up, and are prepared to support before this Committee, is that if powers are given the council, such as they desire, to deal with this matter, they will push forward with all available speed, and so far as in them lies, with the sanction of Parliament, conclude this question?—(*A.*) Yes. First of all, to inquire into the question of a new supply; secondly, if it should prove necessary to have a new supply, schemes for a new supply; thirdly, arrangements for the companies for purchasing from them such part of their works as are valuable." That is not quite what I meant, but, however, there was another resolution which was read, to the effect that you should purchase one or two, or some or more, of the water companies?—I dare say. There have been several resolutions.

3306. I want just to get at what the intention is, so far as I can get it from you. What would be the object of purchasing one or two of the companies, if you do not purchase them all?—We might purchase one at one time, and another at another time.

3307. Do you mean that you should have the power of purchasing one company, and going no further, if you saw fit?—I cannot see why we should be tied, as Mr. Smith was, to buy them all.

3308. What would be the real advantage?—In fact, I do not see why we should be tied to buy any of them.

3309. That I understand; still, on the assumption that you bought any, what would be the advantage to London as a whole in your possessing one or even two of the works of these companies, or rather the works of one or even two of the companies?—It would probably end in our purchasing them all; but if you say that we are to purchase them altogether, you put us in the same difficult position as that in which Mr. Smith was placed.

3310. Let us forget Mr. Smith. The poor gentleman is dead, and this agreement is gone?—Example is very important in these matters.

3311. Yes, I have heard it said it is even better than precept; but I am not quite clear that I agree; I, as a rule, as a practical man, I think *examples* are usually much worse than precepts?—*Much* worse in this case.

3312. Let us take things as they stand; what is the difficult position you would get into if eventually you purchased all?—I do not say there would be a difficult position for us to get into if we purchased all. What I said was that it would put us in a great difficulty if we were

Mr. *Pember*—continued.

pledged to purchase all together, at one time or in one lump; in fact, if we are pledged to purchase at all.

3313. Just think. If you were pledged to purchase at all, surely it would be a fair thing that you should purchase them all, would it not?—Why?

3314. Would it lead to using, for instance, the position of being a water company to compete with the others?—That would depend upon whether in the purchase we had power to go into the districts of the other companies.

3315. It would not, of course, cause a revolution to work two or three; but surely it would not be advantageous to the whole of London for you to purchase one company?—No; it would ultimately tend to the purchase of them all; but I see no possible reason why an agreement should not be made, first with one, then with another, separately. The circumstances differ very much, as you have suggested.

3316. Just so; one might be willing to come to an agreement at one date, and another might stand out for terms which would involve six months' or a year's delay?—Quite so, but so far as principle goes——

3317. Surely the principle which would warrant a Bill enabling you to purchase one company would also equally extend to the purchase of them all?—Oh, yes; we ask for power to do it.

3318. I mean the municipal object which London through you proposes to attain by taking the water supply into its own hands, would only be obtained, so far as it is to be obtained by purchasing at all, if you bought all the companies?—It would not be complete until the whole were purchased.

3319. I should like to ask you on that, what is the exact force of your words of yesterday: "Thirdly, arrangements with the companies"—— ?—Will you give me the number.

3320. It is on that page 174, Question 3147: "Thirdly, arrangements with the companies for purchasing from them such part of their works as are valuable"; what did you quite mean by that?—What I meant was that if it should prove, for instance, that the supply from any partiuclar source is tainted and worthless, that we should not be pledged to purchase that; at any rate, not to give more than its real value for it.

3321. In any arbitration, say that there was an arbitration under the Lands Clauses Consolidation Act, would not you be able to plead, if that was the fact with regard to any particular source of supply of any company, that, *pro tanto*, the valne of that company as an undertaking was diminished?—I think it comes to the same thing.

3322. So do I.—If what they have got to sell is valueless, we should give nothing for it; so that the words do not really come to much.

3323. I thought so; I thought we should agree about that.—What I propose, and what I rather meant to express, was that we should buy them at their proper value.

3324. Quite so; and there again I may say that if the arbitrator is a proper man, or the arbitrators are proper men, and the umpire is a proper man, must we not assume that they will

Mr. *Pember*—continued.

buy at a proper value?—Yes, the difficulty about that is quite a different one, the difficulty about arbitration is certainly, supposing it to be a matter of simply valuing plant, a particular plant, or a particular set of mains——

3325. No, that will not do; surely the value of the thing is not only in the physical value of its constitutional parts, but its value as a going concern?—As a going concern?

3326. Yes, and what it will produce.—And what it will produce, all circumstances taken into consideration.

3327. I will put all the circumstances against the company: that you must consider whether their supply is adequate, that you must consider whether it is likely to be adequate, that you must consider whether their plant is in good order and adequate, and whether it is likely to be adequate, and you must consider also whether their source of supply is tainted, or not, and all the rest of it?—Yes; and what you will have to do in order to supplement them if they are not adequate.

3328. Quite so, that follows; that is the corollary of what I was saying?—And the whole of my evidence of yesterday went to show that that is a very large question indeed.

3329. No doubt it is, we all agree it is a large question; it is a question to which we think there will be a conclusive answer in one direction; you may imagine there will be a conclusive answer in another, still it is a matter for arbitration and settlement?—Yes, but it is a matter which is much too large to be left to any arbitrator such as is proposed by this Bill, or any arbitrator under the Lands Clauses Act.

Mr. *Rickards.*] A board of arbitrators?

Witness.] Yes, a board of arbitrators.

Mr. *Pember.*

3330. There is no magic in a board of arbitrators. The board of arbitrators consists of four gentlemen. Let us take the thing step by step; supposing a proper set of arbitrators can be obtained, and all these things are thoroughly taken into consideration, you would have no objection, of course, if there were to be a purchase?—I do not believe any arbitrator could take those things into consideration.

3331. If he cannot, who can?—It is a thing that can only be settled by Parliament.

3332. I am quite sure the four or five honourable Members who listen to me will not suppose I wish to say anything disrespectful to them or to Parliament; Parliament is, after all, made up of human beings. Do not you think four choice gentlemen chosen from the country, whether Members of Parliament or not, would be about the best tribunal to decide that?—What I tried to show yesterday was, that they would have to decide, not only questions financial, physical, scientific, of the greatest possible magnitude, but that they would also have to take into consideration what course Parliament might take upon any Bill providing for a new supply.

3333. Surely the course Parliament would take, which ought to be considered by them, would be the course which Parliament had taken in putting the matter into their hands?—Let me put the case on my assumption.

Mr. *Pember*—continued.

3334. Yes, quite so?—The supply from the Thames is inadequate; we have to find a supply for two or three millions more people; we have to go to Wales, or we have to go to Dartmoor; when we go there we find ourselves competing with Birmingham and Bristol, with half the country.

3335. I see you forestall some of the difficulty?—The success which we might have in that Parliamentary struggle would depend upon what we should have to give for the new water supply, and what the companies would be able to give for the new water supply. I contend that that is a question that is wholly beyond the competence of any arbitrator to decide.

3336. Who is competent?—You cannot do it until you bring a scheme in for a new supply, and see how you get on with it.

3337. In other words, you cannot buy the companies until you have done your best to ruin them?—The whole of my contention was that you must try this question of a new supply out in one way or another before you come to purchase; that was my whole contention.

3338. After all said and done, let us see whether your objection, even now, comes to much, because if the companies could not get the supply, unquestionably the county council could not get it; I mean if the claim of Birmingham, or Bristol, or any of those places, would be good against the companies getting the supply, the same claims would hold good against the county council?—But how does that enable the arbitrator to say what it would cost?

3339. I do not say that it does, but it shows that it is a thing quite outside the question of what you ought to pay to the London companies?—Not at all; take the case that we buy, as you wish us to buy, your present sources of supply, as going concerns, and as continuing your present dividends, and supposing that immediately after that we find we have to spend 10,000,000 *l.*, 20,000,000 *l.*, or 30,000,000 *l.* (we do not know which or what), with all the conditions of a Parliamentary contest in getting a new supply from a distance.

3340. Would not that mean that our supply was inadequate for London?—Then I say the arbitrator would have to take into consideration what you would have to spend in order to get that new supply; and how is he to do that?

3341. I am afraid we cannot carry it much further. Now as to the investigations, there is just another point I want to complete my review of the situation. Why should not the companies investigate? If fresh sources of supply are wanted, why should not they carry on investigations?—I should be very glad to see them doing so.

3342. I should think so, because if you did it you would saddle the ratepayers with the expense; whereas if they did it it would be at their expense?—I have never said anything against doing it.

3343. Then it comes to this: I suppose they can command the same engineering talent that the county council can?—I am afraid they can command much more, for when we go to try and find engineers for our purposes we find the water companies have taken them all up already.

3344. You

Mr. *Rickards.*

3344. You will sympathise with the vestries then, Sir Thomas?—Yes, very much indeed. I have all my life sympathised on these occasions with the municipal bodies who are fighting against the large purse of these companies.

Mr. *Pember.*

3345. I daresay. Of course we have left you your *Grover*?—You have not left him to us, I beg leave to say.

3345*. I have left him to my friend?

Mr. *Bristowe.*] You have Mr. *Bennie.*

Witness.] Mr. *Grover* is no child of mine.

Mr. *Pember.*

3346. However, what I want to get at is this; the companies are just as able to investigate new sources of supply as the county council?—Quite.

3347. And if they do it they will pay the expense, and not the ratepayers; and, further, I put it to you as I put it before, and you seemed to accede to my suggestion, that their motive in maintaining their present position is quite sufficiently strong to induce them to do it if the necessity really arises?—Yes; perhaps it may be when this external pressure is applied to them as it is being applied now.

3348. I suppose, when you talked about the outside areas having their own water, you did not mean to say that they were to lay their hands on all the available sources of supply that happened to be within their geographical district, and say: These are ours, and nobody shall touch them?—I think I guarded myself.

3349. I was asked to emphasize that; what you mean was that they should have the distribution of the water in their own limits?—The distribution; and I went a little further than that. I said, if there were sources of supply within their own limits to supply those districts, and which were not necessary for the supply of London, I did not see that there was any principle in reason why those should not be parted with to the local districts.

3350. I see the justice of that, and may take leave to say that I agree with you. I asked you a while ago what you meant by "control." Now, as I understand it, at present the London county council (and you are quite frank in the matter) are not prepared with any scheme either for the purchase of the existing supplies, or any scheme for the control of the companies on the basis of their continuing to exist, or for any new supply?—My whole case is that our inquiry is incomplete.

3351. It is not begun?—I have told you we are taking steps to obtain information upon a great many of these points. Some information we shall lay before the Committee, and we believe that in the course of time we shall be able to produce a complete scheme.

3352. "In course of time." What do you call "in course of time"?—But I would point out this, and it has reference to an inquiry by the companies as well as an inquiry by the council, that the council have no power whatever to call witnesses before them other than such as may choose to come; nor, I suppose, have the companies.

Mr. *Pember*—continued.

3353. No, I do not suppose you have, either of you?—The companies themselves refused to take part in our inquiry, quite wisely.

3354. Oh, did they?—I think so.

3355. I think not?—Oh, yes.

3356. You say "Oh, yes," and I distinctly say "Oh, no." Will you show me two things on that point: first, a copy of the letter, or any letter, which exists in which you asked them to take part in any inquiry; and next, their answer; and let us see whether the one is a request to take part in a particular inquiry, and whether the other is a refusal.

Chairman.] They were read yesterday, I think.

Mr. *Pember.*] Was the answer read, sir?

Chairman.] The answer of each company was read, I think.

Mr. *Pember.*] That is as to purchase, I think, sir.

Witness.] Yes; that is as to purchase.

Mr. *Bristowe.*] Negotiation with the water companies.

Mr. *Pember.*] Yes.

Mr. *Bristowe.*] They were all open to offers, I think they said?

Witness.] Yes.

Mr. *Pember.*] Yes; and that is another matter, Sir.

Chairman.] It had better be read, to avoid any mistake.

Witness.] At any rate, I will not be positive.

Mr. *Pember.*] I will tell you exactly the answer that was made. It was this——

Witness.] Perhaps you will give the answer that was made to the City, too?

3357. Yes; but the one that was made to you was this, that they should not give the answer until you wrote and told them what the inquiry was to be, and I think I am justified in saying that from that time they heard no more on the subject?—I daresay you are right; but I will put in the correspondence.

3358. Similarly, it is perfectly true to say, is not it, that after that answer, or rather those answers, received through the water companies, of which you gave specimens on page 149, and which, practically, say that they all wish to retain and carry on their undertakings, but that if the London county council, in their desire to enter into negotiations with the company in question, whichever the company was, had any proposal to submit to the directors, would give it their fullest consideration, after the reception of those answers, I think I am justified in saying that the companies heard no more from you?—The council did not make you an offer.

3359. And, in fact, sent no further reply to that letter at all?—The council did not make you an offer.

3360. You might carry it a step further?—

Mr. *Pember*—continued.

You asked us to make you an offer, and we said, "No, thank you."

3361. You did not say, "No, thank you." Excuse me; that is just what you did not do; you said nothing?—We said so, practically.

3362. Saying so "practically," as I very often tell people, is not saying it at all; you did not, in fact, say it?—We made you no offer.

3363. In the same way, as Mr. Hollams reminds me, when you asked leave to inspect their works, they said they should be very happy, I believe, to allow you to do it?—Some did and some did not.

3364. But most of them did?—No. I think most did not.

3365. At all events several did?—Some did, I think three did and four did not.

3366. Which means that something like half of them did; did you make any inspection of the works of those companies who said you might do so?—Mr. Binnie is coming here himself, and I would rather refer you to him as to that.

3367. That is fair enough; does it not strike you after all, if you are not prepared with any scheme either for purchase, new control, or new supply, that any legislation upon the subject at all is somewhat premature?—Not so, I think, because, as I have told the Committee, the council, who are really charged with the interests of the ratepayers of London, at present have their hands tied, and are unable to move in the matter.

3368. Not altogether; to begin with they got 5,000 *l.*, or rather power to raise 5,000 *l.*, for the sake of prosecuting the inquiries?—Quite so; but no power to bring in a Bill.

3369. That is as far as the prosecution of inquiries goes; now just let us see what the disability is even about the Bills; do not you think to begin with, that the proper time to bring in a Bill or to be authorised to bring in a Bill for a new supply, is when you have made up your mind what that new supply should be?—There is no use in the council's framing a scheme for a new supply unless they have power to bring in a Bill.

3370. Let us see what that loss of power comes to. I know the whole story. Do you say that you have not the powers which other corporations have, or, rather, which other municipal authorities have?—No; the other corporations have not. The City and the vestries have it, because they are not under the Borough Funds Act; but other municipal authorities are tied by legislation which has taken place, very much at the instance of the companies, which prevents them bringing in Bills.

3371. No, no?—I know the history of it generally, but Mr. Cripps will give you in detail the history of the Borough Funds Act. I know all that at the Board of Trade very well.

3372. So do I?—There was a perpetual struggle on the part of the municipalities for freedom to act, and a perpetual struggle on the part of the companies to tie their hands.

3373. You do not suggest that the companies passed the Borough Funds Act?—No, they helped it.

3374. I did not know they were so powerful?—Powerful; the joint stock interest in my early days was the most powerful interest that existed.

3375. I hope you did something to mitigate it?—I think so. I think municipalities are much stronger, and that joint stock interest is weaker than it was.

3376. Perhaps we may all congratulate you on the result of your labours for all I know?—No, it has been due to the general tide of public opinion. See what is going on in the railway rates room, next door.

3377. Now would you mind my getting back to my question, which is this: There are certain ways in which the position of London differs from the position of other municipal authorities in the matter of bringing in Bills. One point, is it not, is this: that owing to your not being under the Public Health Act and the Borough Funds Act you cannot get your costs if the Bill is rejected?—We have no power to charge our costs on the rates

3378. If the Bill is rejected you have no power to charge your costs on the rates?—But I believe there is some doubt about that. I bslieve the lawyers have some doubt; but as far as I understand, the Metropolitan Board of Works were obliged to get an Act of Parliament to assoilize them for their expenses.

3379. That is your one difficulty, the chance of you and other members of the council being surcharged the expense in the case of a Bill if thrown out; you are just in the same position as other municipal corporations are but for that, are you not?—The difficulty of bringing in one of these Bills and the expense of bringing it in are very large indeed, and it is a very serious thing to say the council are to pay the costs out of their own pocket.

3380. Very serious; I should think so if I were on the council; but what I want to get at is that that is the one point of difference, is not it?—I believe that is the only point, but Mr. Cripps will tell you if there is anything else.

3381. Did you ever see a Bill without a costs clause?—I do not think so, and I should think the promoters would be great fools not to put such a clause in.

3382. So do I; I do not think of the county council so badly as all that; now I should just like to call your attention to this: of course, in talking of the companies as great, rich, powerful companies, as aggregates, we may admit that that is so; but as a matter of fact the shareholders in those companies (great numbers of them, at any rate) are poor people?—I know nothing whatever about who the shareholders are. They may be.

3383. You are not surprised to hear that that is so?—I daresay it is so.

3384. There are a great number of very small shareholders who have invested their money at high prices under the impression that they were buying a good, sound, steady, stock that was taken care of by Parliament, and that Parliament would continue to take care of it?—I do not know about that. They have taken it upon whatever they believe to be the position of the companies.

3385. And a great deal of the capital of the companies

Mr. *Pember*—continued.

companies is held by trustees?—It may be. I daresay it is. It has been a favourite stock.

3386. It is obvious, then, that if anything were done to seriously depreciate the value of this stock a vast amount of disaster would be very widely spread among the public?—The persons who held shares in these companies would suffer. It is exactly like any other investment. Precisely like any other investment.

3387. As to the exact method we can discuss?—Persons thought themselves extremely safe in investing money in land 50 years ago, but foreign competition has very much diminished the value of land.

3388. Has it been done by Parliament?—Oh, yes; there were the Corn Laws.

3389. The Corn Laws are not a Parliamentary title. However, I decline to discuss that. You have said yourself that you did not think very much of the grievances of individuals against the companies?—Of the complaints of the water. I plead ignorance about the complaints of overcharges.

3390. On that point I think I should like to ask you one question, and upon my word I think that is almost the last question I shall have to ask you. I suppose we are quite agreed that there is a certain amount of communism or socialism, I hardly know which it is, in the demands for water?—I quite admit that, and that is one of the principal reasons for placing water in the hands of a municipal body.

3391. That may be the consequence or not, that I should like to think out; but in the meantime there is no doubt that is so?—I think so.

3392. That the rich are to a certain extent expected by Parliament and the public to pay for the poor in this matter?—You cannot treat water simply as a commercial commodity.

3393. As a thing to be paid for by value?—No.

3394. Therefore I suppose I should have your assent thoroughly to the declaration, if I cared to make it, that the notion of paying for gas by meter is nonsense?—I do not think it would be listened to by any representative body in London. At the same time will you allow me to say that I do feel that there is some ground for complaint on the part of the City and wealthier people, that they have to pay so large a share towards the expenses of water.

3395. That may be the result of the socialistic or communistic theory on which prices are based?—It is. It is the smaller evil.

3396. It is the smaller evil, I quite agree with you. It would be a vastly greater evil if the poorer people of London should be obliged to pay according to its cost?—Looking to the health consideration of London we must bear one another's burdens.

3397. Especially *other people's*. As to that we may dismiss that topic, I think. I should like to knowwhether you, amongst other intelligent and thoughtful people, have ever considered this: What is the greatest burden do you suppose, in the shape of a water rent, that a great householder in London—I do not speak of the offices in the City, I am excluding those for the moment from my suggestion, but what do you suppose is the greatest burden that under the present theory a very great householder in London, a consumer of water for domestic purposes, has to bear?—That I do not know.

Mr. *Pember*—continued.

3398. Should you be of my opinion, we know that since Dobbs' case it is "rateable value" (nett annual value, interpreted, I believe, to be "rateable value," and especially in Mr. McCulloch Torrens' Act it is rateable value) that determines the amount he should pay. Now is not 100 *l.* a year a very very high and unusual rateable value for a house?—I mean a very fine house.

3399. A very fine house at 1,000 *l.* a year. I fancy that the highest charge on such a house would not be more than 5 per cent. of its rateable value?—I really cannot tell you.

3400. I mean under the powers of the Waterworks Companies?—I really cannot tell you.

3401. If it were, that would really come to this, that the highest instance of what some gentlemen might call extortion would really be measured by something like 50 *l.* or 60 *l.* a year?—That may be so.

3402. I will take it at the extreme amount; for anybody to pay 50 *l.* or 60 *l.* for his water bill is a very unusual thing, is it not?—Yes, I should think it was.

3403. Of course I know there there are certain extras connected with the washing of carriages sometimes, and with water closets, baths, and so on; but still, for all that, taking London round, it is a very unusual thing for a man to have to pay 50 *l.* or 60 *l.* for his water bill?—I should think it was.

Mr. *Pope.*] I have nothing to add to my learned friend Mr. Pember's cross-examination.

Witness.] Thank you, Mr. Pope.

Cross-examined by Mr. *Moon.*

3404. I appear for the Kent Company. I believe you are an inhabitant of Kent?—No, Surrey.

3405. I daresay you know generally what the position is of the Kent Company, because you have studied these questions?—I know generally.

3406. We have had it proved here that the whole of the district which the Kent Company supplies is 177 miles, of which only 30 are within the boundaries of the county council?—I am aware that a very small portion only is.

3407. I daresay you know, because it is common knowledge, that the sources of supply of the Kent Company are adequate, both for their present requirements and also for any future requirements which are likely to arise?—I should be sorry to pledge my very imperfect knowledge to a positive answer, but I believe their supply is a good supply.

3408. And the quality of the water is also as good as it can be?—For chalk water; it is a pure chalk water.

3409. I will read you——?—You need not read about it; I will quite admit that it is good chalk water; if there is any question about it, it is a question of hardness.

3410. As this affects that question, perhaps you will allow me to read this passage to you. It is from the Rivers Pollution Commissioners' Report

Mr. *Moon*— continued.

of 1874: "The supply of such water" (Kent water) "either softened or unsoftened, to the metropolis generally, would be a priceless boon, and would at once confer upon it absolute immunity from epidemics of cholera"; and in the report of Sir Frederick Bramwell and Mr. Edward Easton to the Metropolitan Board of Works of 1877, they say: "it is the purest, brightest, and most palatable, and most wholesome water that could possibly be desired." Would you agree with that?—I would rather not give an opinion; I believe it to be very good water, but I am no expert in these matters, and I know that there is a very serious controversy about the value of hard and soft water.

3411. I agree.

Mr. *Lawson.*] Which they allude to, of course?

Mr. *Moon.*] Which they allude to.

Witness.] I would rather refer you to the opinions of experts who will follow.

3412. If the quantity which is at the disposal of the Kent company is ample, and the quality is excellent, there is no urgency as far as the Kent company is concerned for taking any steps, is there?—There is not the same urgency as there is in the case of those companies that take their water from suspected sources, or from sources which are probably failing.

3413. Or even of which there is some apprehension of the failure, or of the fact that they are not a proper sort of source?—Quite so.

3414. Supposing the county council purchased the Kent water company, would the supply be improved, either in quantity or quality?—That particular supply would, I suppose, remain the same, subject to the question of bringing other water for other purposes (soft water) into that district which might be desirable for manufacturing or other purposes. I give no opinion on that.

3415. That, of course, raises the hard and soft water question?—Quite so.

3416. And involves, I think, a double supply?—If you introduced a different class of water——

3417. That would involve you in a double supply. I do not think you would suggest that it would be worth the while of the county council to introduce a double supply in the Kent district to duplicate the mains?—I have not suggested that; that would be a question for subsequent consideration. I know there have been all sorts of proposals for mixing the water. That might be right, or it might be wrong; I have no opinion upon it.

3418. I think you will agree with me that, having regard to the fact that there is a large outside district, as well as an inside district, which depends upon the chalk water, you would not take away the chalk water from the Kent wells and distribute it in the metropolis?—That is a question to which I would rather not give an answer without more knowledge of the circumstances of the case. I have already said that if there was water which was supplying a district outside London, and which was not needed for the supply of a district within London, then I cannot see that there would be any objection to letting the district have that source of supply.

3419. Quite so; I understand that is your

Mr. *Moon*—continued.

view; but suppose you have got a source of supply inside your district which, as the thing stands at present, the outside districts in Kent enjoy, do you think that you could take that source of supply and use it for the metropolis generally without having the outside districts coming to object to your doing that?—Not certainly, if our doing so was to deprive the outside district of the water which was necessary, against their will. I wish to guard myself very carefully there, because it may be that water from one of those outside districts is now employed in supplying parts of London within the county boundary, and it might not be possible to part with that without crippling the supply.

3420. I quite follow that; I am not suggesting that you should not use that part of the Kent supply within the metropolis for the Kent district which is within the metropolis, because that is the existing position of affairs?—No, but suppose there were springs, or a well; let us take another case, the Amwell springs in Hertfordshire, which are used for the supply of the metropolis; we are not prepared to say that those shall be appropriated to Hertfordshire; so, in the same way, if there was a well in Kent, from which the Kent Company now supply a part of the metropolis, I am not prepared to say that the council could continue to give up that well entirely to the local district. I think you would have to look to the probable increase of the inhabitants as well as to the present wants of the districts.

3421. Practically speaking, the result would be, that if you did purchase the Kent Company, the Kent water would be used to supply the Kent district just as it is at present?—I am inclined to think so, but I hesitate to give a positive opinion without knowing more of the facts.

3422. You told my learned friend, Mr. Pember, that if the water companies had an adequate supply, and a proper supply, that, apart from sentiment, there was no advantage in handing over the water supply to a water authority?—I do not think I said that.

Mr. *Freeman.*] Oh, no.

Mr. *Moon.*] I understood you to say that, certainly.

Witness.] I think not.

Chairman.] I do not think the witness went so far as that.

Mr. *Freeman.*] Oh, dear no.

Mr. *Moon.*

3423. You say you did not go so far as that?—No, I am not aware that I did.

3424. I will put it in another way: suppose that by the purchase of the Kent Company the supply would not be bettered, and would not be cheapened, but that the only result would be that the county council would supply in the Kent district, as the Kent Company is now doing, what advantage would there be in the purchase of the Kent Water Company?—I can see no advantage in any purchase if the water is neither to be more plentiful, better, nor cheaper; that applies to the whole of London.

3425. Of course all these questions you have raised

Mr. *Moon*—continued.

raised as affecting the value of the water companies' property; questions of whether it will be necessary to incur a large expenditure or not do not affect the Kent Company at all, do they?—My information is imperfect, but I imagine that they affect the Kent Company very much less than the companies that obtain their supply from the Lee and the Thames.

3426. You say your information is imperfect. If, as I suggest, the supply is sufficient for all their probable future requirements, it is obvious they are not concerned with the necessity of going to Wales, or Dartmoor, or anywhere else?—Their property is all the more valuable.

3427. There was something in your evidence in which you suggested that it would be the policy of the council to maintain for themselves that part of the Kent district which is within their area, and to hand over the outside districts to the local authorities in the outside districts?—Provided by doing that we did not cripple the supply of water in London.

3428. Has it occurred to you that that would not tend to the economy of administration which we have heard urged as one of the reasons for the purchase of the companies?—I think that will be a matter very much for the consideration of the local authorities.

3429. Let us see, you have got the county council administering in the county council area?—Yes.

3430. You have, shall we say, a dozen local authorities administering outside?—I really do not know many.

3431. A certain number, at any rate?

Mr. *Rickards.*] It is 80 or 90 altogether.

Mr. *Moon.*] In Kent?

Mr. *Rickards.*] No.

Mr. *Moon.* I am speaking of Kent.

Witness.] I cannot tell you how many. I know there are several.

3432. The administration of these local authorities will have to be added to the expense of the administration of the county council?—That will be for them to consider.

3433. So many separate supplies?—That will be for them to consider. If they find it more expensive, I should imagine they would ask the county council to administer for them or to give them water in bulk.

3434. But, apart altogether from engineering difficulties which may be in the way, which I am not going to ask you upon, because you are not an engineer, have you any notion how much of that very straggling district belonging to the Kent Company would be within the districts of the local authorities who proposed to take the supply, and how much would be left in the hands of the county council outside?—No, I have not got into any detail upon that subject.

3435. Does it not occur to you that it would be a little awkward if you were left with that patch within the black dotted line, and the surrounding district next to it was taken up by the local authorities, and you remained with the outside patch on your hand?—It is possible there may be difficulties of that sort; all that will be a matter of arrangement.

Cross-examined by Mr. *Bidder.*

3436. One or two questions on behalf of the borough of Croydon: you know the position of Croydon, I believe?—Generally, but not very accurately.

3437. Let me draw your attention to this, in respect of water supply I mean: Croydon is technically, nearly the whole of it, within the boundary of supply of the Lambeth Company, as indicated by this red line (*pointing to the cartoon*)?—Yes.

3438. But, as a matter of fact, Croydon possesses its own waterworks, its own wells, its own sources of supply; and it supplies itself entirely, with the exception of a small fragment which you will see at Selhurst, on the northern side of the borough, and which is at the present time supplied by the Lambeth waterworks: now there are three questions which I want to put to you: one of them arises upon this Bill: the proposal of the Vestries' Bill is that Croydon should be rated, or that the rates of Croydon should be pledged for the purpose of this metropolitan water supply and purchase. Is that reasonable under the circumstances?—No, I do not think it is.

3439. The next question is this: you would not propose anything to be done under any scheme such as you have been indicating to interfere with the autonomy of Croydon as to the supply of their own water in their own borough?—We would much rather they managed their own water.

3440. And although technically within the Lambeth district, that they should remain masters of their own business in the water supply?—I think so.

3441. Then thirdly, and that is the only remaining question, as regards that small fringe of the Lambeth Company's supply within their borough, if at any time the Lambeth Company's undertaking were to be taken over by any public authority, would you say that it should be right that Croydon should have the option and power of taking over that portion of the system, that is to say the distributing mains, which is within their borough?—I think so.

3442. Upon, of course, reasonable terms?—Upon reasonable terms. Those would be terms to be arranged.

3443. That is really all I have to trouble you with for Croydon: now one or two questions for the Southwark and Vauxhall Company, because Mr. Pember has practically asked nearly every question I want to ask, and I do not want to repeat it; but you said yesterday, and we are a little sensitive about it (I think it was quoting from the report), that the answers of the companies to your applications had not been such as encouraged you to proceed with negotiations?—They were very natural answers; whether they were wise ones or not on their part I do not know. They were practically asking us to make them an offer.

3444. Forgive me. I know now what you are referring to. What other answer could you have possibly expected as regards terms?—I think I told you it was not with my good will that the proposal to negotiate was made.

3445. I am not concerned in that, but I am a little concerned in the suggestion that we re-

Mr. *Bidder*—continued.

buffed the council or behaved in any manner that was unreasonable, or unbusinesslike, or discourteous?—Not the least in the world. Whether it was wise on your part is another question.

3446. I beg your pardon; is it another question?—Yes; I never complained for a moment that it was discourteous.

3447. I put it to you, what else could we say if there was nothing else to say. It is a serious thing?—I was exceedingly glad that you did make that answer.

3448. Forgive me for saying you are getting rather enigmatical. What other answer could we possibly have made?—It is not for me to say what your ingenuity might have suggested.

3449. We have got no "ingenuity"; we are simply purveyors of water. At any rate we showed every disposition to meet you, and to consider and to discuss; and, if there were a way shown to us, to assist you in your inquiry?—I made no complaint.

3450. Then I think that disposes of that matter. Now as regards my company; I will try and avoid the general question, because I know Mr. Pember has done that very effectively and fully; but as regards my company, the Southwark and Vauxhall Company, I do not think anybody has ever suggested that we have not abundant means of supply in our district at the present time, have they?—I really cannot say. I must get you to ask that question of our engineer, or some of our experts.

3451. And I do not think anybody suggests that the quality of our water is not satisfactory for a town supply?—I have already answered questions to the best of my ability about the quality of the water of all the companies; and I should wish those to stand with regard to yours.

3452. I put the question only for the Southwark and Vauxhall at present; assuming, for the sake of argument, that we have an ample supply for our existing population, and I may say, looking perhaps some years ahead, and that it is of a satisfactory quality, you would not contemplate for a moment a public authority interfering with our supply without first buying us, would you?—Interfering with your supply without first buying it?

3453. Buying up the company?—What do you mean by "interfering with your supply"?

3454. Competing in our district.—That would depend upon circumstances.

3455. Well, I have given you the circumstances; assuming that the South ark and Vauxhall Company have got an ample supply of satisfactory quality for their own district, would you seriously suggest to Parliament that a public authority should be allowed to start an independent supply competing with them in their own district without first acquiring the undertaking of the Southwark and Vauxhall Company?—That would depend upon circumstances.

3456. On what circumstances? What circumstances would make it just, what conceivable circumstances?—You assume, in the first place, that the supply is adequate not only for the present but for the future.

3457. But we will leave out the future?—I do not choose to leave out the future.

Mr. *Bidder*—continued.

3458. I will leave it out in my question.—Very well.

3459. Or rather I will put it in this way: that it is sufficient for the present and for the near and immediate future, say five years ahead; I will put it in that way.—But I wish to look rather further.

3460. Then I grant if you look far enough into futurity there may be a question whether I have got a sufficient supply; under what circumstances should you suggest that it would be right or just that a public authority should be allowed to acquire powers to compete with me with public rates without first acquiring my undertaking?—I should wish to acquire your undertaking at its fair value, and it would be only in the event of your demanding more than its fair value that I should wish to bring into exercise the power to compete with you.

3461. There is an obvious solution to that when one party demands what the other party thinks is not a fair value; that is to call in an independent tribunal to say what is a fair value?—I wish that independent tribunal to treat you not as a company which has a legal monopoly, but as a company which is exposed to competition. I will fully admit that competition is difficult and expensive. You have the right to the full benefit of that admission; but on my part I think I have the right to state that you have no legal claim to a monopoly; no legal claim to resist competition.

3462. I am not exposed to competition?—The only monopoly that you have is the possession of the streets.

3463. You are perhaps leading me a little further than I wish to go, because I do not wish to trench upon what my learned friend Mr. Pember has asked. In point of fact you think it right you should get powers to enable you to compete with me in order to plead that before the arbitrator and bring down the price?—No.

3464. That is what it comes to?—No. I have told you we are led to this competing supply by the fact that a new and large supply will probably be wanted; I only put it as probable, and that the new supply ought to be in the hands of a municipal authority. I also am led to it by the fact that the pressure of public opinion is on all hands demanding the purchase of the water companies by the municipality; and I wish the terms that are given to them to be such as are really dictated by the present circumstances and position of the companies. If we say that we are in no case to compete with you, we admit that you have the legal monopoly. That admission we will not make.

3465. You certainly have no power to compete with me at the county council at present?—No; that is one of your advantages; that we should have to come to Parliament and Parliament would make us show that we had a very strong and very good position before we should be allowed to compete.

3466. In point of fact you want to be allowed to come to Parliament and get powers to compete with me, to cut down my price before the arbitrator?—Not alone that.

3467. That

Mr. *Bidder*—continued.

3467. That is the main thing?—We assert our right to compete.

3468. You admit you have not the right to compete?—We assert that we ought to have the right to compete.

3469. In order to cut down my price?—We assert that you have no legal monopoly whatever. You, in former days, competed with one another. You are not like the gas companies, in which the districting was confirmed by Parliament. You have districted London amongst yourselves, and any one of you might at this moment compete with any other of you.

3470. If we were maniacs?—And we should be maniacs to compete with you unless your terms were extremely exorbitant.

3471. It comes to this: you wish to get power to compete with us in order that if our terms are what you think exorbitant, you may compete?—Undoubtedly. I do assert that you have no monopoly in order that you may not exact monopoly terms.

3472. If we have got no monopoly, why do you want further Parliamentary powers to cut down our monopoly?—The monopoly only exists through our hands being tied.

3473. And in point of fact, to make it complete, you are afraid to leave to an independent tribunal what the fair price is.—No. I have explained to you very fully, and to Mr. Pember very fully this morning, why it is that you cannot leave these questions in the hands of the arbitrator.

3474. I will not go again over the ground he has already gone over. I do not want to do that at all. Of course, *mutato nomine*, the same thing is true of the New River Company, which also I represent. I do not want to repeat it?—Yes, I think what we have been saying is general.

3475. Only with regard to altered circumstances as to their condition of supply?—Yes.

3476. One other question before I leave the New River Company. Do you contemplate in dealing with them—if you ever deal with them—that you are going to deal with them as an entirety, or to deal only with the water part of their undertaking and leave the property alone?—I am not commissioned to speak upon that point.

Mr. *Worsley Taylor.*

My learned friend Mr. Balfour Browne kindly permits me to ask the very few questions I have to ask for Middlesex and West Ham before he goes on.

Cross-examined by Mr. *Worsley Taylor.*

3477. I want to call your attention to the evidence you gave, page 161, with reference to the meeting between the county council and certain authorities outside. I see there you name the Middlesex county council as one authority which had representatives present?—Yes, that is so.

3478. Then you may say on the top of the other column in the middle of the first answer, that the resolutions which you read were passed, so far as that meeting was concerned, unanimously?—Yes.

3479. As a matter of fact, although I think the

Mr. *Worsley Taylor*—continued.

Middlesex county council, out of courtesy to your county council, attended the meeting, before the question of voting came on they had retired from the room?—I think Mr. Littler and Mr. Dixon Hartland retired, but from conversation with them, although they differed upon points of detail, we gathered, in an informal way, that they were on the whole with us. Mind you, upon the whole of this I stated, very carefully, that I did not wish to pledge any of those outside authorities—it was an informal meeting—an endeavour to arrive at some mutual understanding; I do not wish to represent it as an agreement or an arrangement in any way.

3480. Not at all, I think I understand, I only want to get it clear on the notes?—Yes.

3481. So that the Middlesex representatives, as representatives of the council, did not take any part in the voting?—They did not vote, they left the room; they had to go somewhere else.

3482. Therefore, you do not suggest for one moment that they have formally assented to the scheme?—Oh, no; and I should hesitate to say the other bodies were bound. Whether the gentlemen who attended had plenary authority to represent their bodies or not I do not know.

3483. And I suppose this conversation between the representatives of your county council, and my learned friend Mr. Littler for instance, as representing the Middlesex county council, would be what one may call informal and conversational?—Certainly.

3484. With regard to West Ham I think you have made it clear they were not there at all?—I think they were not there.

Mr. *Freeman.*] No.

Mr. *Worsley Taylor.*

3485. You say so; and what you have said about their not being bound formally in any way, or in any way whatever, equally applies to them?—Certainly.

3486. I just want to read to No. 7 of the instructions to your counsel; they are on the top of page 160, you will see: "The supply of water in each district in the metropolitan water area, outside the boundary of the county of London, to be as far as practicable in the hands of the local authority of each district, and within the county of London, in the hands of the said statutory committee." Of course I have nothing to say "within London"; then I understand that the view of your council is that that is sound in principle?—Sound in principle, subject to an infinity of arrangement in detail.

3487. And the precise method I suppose would have to be settled in the case of each of those outside authorities at some subsequent time?—Certainly.

3488. You only lay down the principle?—A principle to which we see no fundamental objection.

3489. I take it that that was laid down after there had been a certain reasonable amount of consultation with your engineering authorities?—Certainly.

3490. You say there "as far as practicable"; who is to settle that question? because I notice

that

Mr. *Worsley Taylor*—continued.

that No. 8 of these says: "The committee to have full power over details, but questions of principle and policy to be reserved to the London county council." Manifestly that question of "as far as practicable" must be either a detail or a principle; therefore, I take it that would be settled either by the London county council or by the committee?—By the council or the committee on behalf of London; but of course by the local authority on their behalf. It would be a matter of arrangement between them.

3491. Quite so, but if you follow me, the council or the committee are to settle, they are to have absolute power given to settle?—They would not have absolute power overruling the local authority, that must be a matter of arrangement in each particular case.

3492. That is just the point I am coming to, Where, in these resolutions, is there anything reserving the right of the outside authorities to be consulted in any way whatever?—There was never any idea that they should not be consulted.

3493. Then I take it that that would be a just requirement on their part?—Certainly, it would be a matter of arrangement.

Mr. *Freeman.*] You must not take it that this resolution was exhaustive.

Witness.] Oh, no.

Mr. *Worsley Taylor.*

3494. Sir Thomas Farrer has stated it perfectly fairly, and I am quite content with what he has said. (To the *Witness.*) Would you go so far as to say that they should be consulted on all the details of the scheme at the earliest possible moment, and on the details of any Bill that is to be promoted?—I should think the Bill would be, as a matter, of course, submitted to them; I should think so; we really have not gone into detail in those matters.

3495. But in principle it would be right that they should have the fullest opportunity of considering the Bill?—Certainly.

3496. You see that your resolutions do not provide that they shall have any representation; do you think that they ought to have?—No, I think not. I think it very undesirable to create a new representative body. I should like the City and the London county council to have the sole control within the metropolitan area.

2497. Suppose you supply to an outside authority, for instance, take that case; the first idea is that there shall be a severance of interests. Suppose that in certain cases the council got powers to supply an outside authority with the assent of the outside authority, would you say in that case there should be no representation?—I should think it better to follow the example of the great towns in the north, where it is a matter of bargain and sale between the municipal authority and the outside districts, rather than to create a new and rather a heterogeneous representative body.

3498. That means that you should supply in bulk?—Supply in bulk, yes.

3499. But what I am putting to you is this: suppose in the case of any outside authority (I am not naming any one), they came to the conclusion that they would rather that you, or somebody else inside London, should buy up the existing water companies, and should supply them in detail as the water companies do now; in that case would you say that it would not be fair that that authority, or any like authority, should not have representation?—I am speaking now on general impression, for this subject has not been discussed amongst us, therefore I am not commissioned to give you any positive answer.

3500. Therefore, I will leave it in that way. It is a matter that ought to be discussed fairly between everybody concerned?—My impression is against making a new representative body.

Cross-examined by Mr. *Balfour Browne.*

3501. Just one question for the Lambeth Water Company first. I do not, of course, propose to go over the ground which my learned friends have gone over; but yesterday you said, speaking of the Birmingham case, that nothing was given to them for the increase subsequent to the purchase; consequently the whole of the increased rentals have accrued to the town council, and after payment of working expenses, they have resulted in a surplus income, and so on?—Yes.

3502. Do you know that in the Birmingham case, 4 per cent. per annum on the capital value, as on the 1st January next, and one-half the back dividends which the company would have been entitled to pay out of the future profits, was given in addition to the purchase?—I think that was explained, if I remember rightly. You will find the whole details before Sir William Harcourt's Committee.

3503. Perhaps you had not that in your mind?—I had not that in my mind, but you will find the terms distinctly stated by Mr. Avery in the Appendix.

3504. I am content to have directed your attention to it; now, a few questions about the Thames Conservancy; you were, I think, at the Board of Trade in the year 1866?—Yes; I was.

3505. At that time the condition of the River Thames was very much complained of?—It was in a state of ruin.

3506. And in the year 1866 the jurisdiction upon the whole of the Thames, from Staines upwards, to a point I need not mention; but you know it——

Mr. *Freeman.*] Cricklade.

Mr. *Balfour Browne.*

3507. Cricklade it is; I will mention it now my learned friend has suggested it to me?—Cricklade was put under the Thames Conservancy Commission; that is to say, by a Bill introduced by Mr. Milner Gibson, then President of the Board of Trade.

3508. I think you had a good deal to do with giving the powers to the conservancy?—A good deal to do with it.

3509. It is quite obvious that the duties, which are rather onerous upon the conservancy, can only be discharged when they have certain money

Mr. *Balfour Browne*—continued.

moneys wherewith to do it?—Yes; but I should like to explain, to the best of my recollection, what took place. The locks were ruinous; the charges were heavy; the navigation was going to the dogs altogether. The jurisdiction was vested in an old-fashioned set of Commissioners (some hundreds of them, I think, there were), consisting of all the squires and parsons on the banks of the Thames, and it was obvious that the whole thing was going to ruin. The question was, what could possibly be done with it? The railways were destroying the navigation, and Mr. Milner Gibson, after looking round, found the Thames Conservators, who had inherited the City jurisdiction over the river as far as Staines, with the large purse derived from dues upon the Lower Navigation. They came into his views, and agreed to undertake the management of the upper river, and they undertook to advance sums out of their large purse below for the purpose of what was immediately necessary above. Then, looking round for various sources of income, it was suggested, and properly suggested, that one of the duties of this body should be to keep the Upper Thames clean, as a source of supply for the water for London. The Thames Conservators undertook that duty, and in return for that the water companies agreed to pay them a certain sum; small at first, but which I think, by degrees in subsequent Acts, has been increased to about 18,000 *l.* a year.

3510. I daresay you know that is not too large a sum for the duties they perform?—I should think, for the almost impossible duties they have to perform, it is not too large.

3511. I will come to the "impossible duties" immediately, because I have some questions to ask upon that?—I should just like to say there, because I think there has been some misapprehension, and possibly the misapprehension arose from some words in some reports of the council to the effect that the Thames Conservators have sold the water. The Thames Conservators have never sold the water, and never had any water to sell. The water was public property, and what the companies have got has not been bought from anybody. It has been given to them by Act of Parliament.

3512. That is quite true, but the payments which are made by the companies to the Conservancy are for duties with reference to the purity of the water, which are discharged by the conservators?—That is so. I do not know what the accounts of the Thames Conservators are, but I believe that sum has gone into their general purse and been disbursed for the general expenses of the upper Thames.

3513. Under an Act of Parliament they are bound to keep the two accounts separate?—The scavenging?

3514. No, the upper and lower Thames?—Yes, but the scavenging account and the navigation account, I mean.

3515. In that way, in consequence of that Act you have been speaking of, two benefits were attained; first, the navigation was improved; and second, the quality of the water was improved?—Yes, a great deal has been done to set the navigation on its legs.

3516. Apart altogether from the water supply of London, the condition of the Thames has been greatly improved in consequence of the action of the Conservancy, has it not?—I do not know, I am not quite sure. I am not able to say. They have fought hard battles with the Metropolitan Board of Works to prevent them putting sewage into the Thames; that is the lower river.

3517. At any rate that would be an advantage if they had succeeded. I do not know whether they did?—That is with reference to the lower Thames, not the upper Thames.

3518. If the Thames is given up as a source of supply, of course the 18,000 *l.* a year will cease to be paid to the Conservancy?—Certainly.

3519. And of course the upper Thames, which was, in 1866, in a disgraceful condition, according to you, will go back into that condition?—If that 18,000 *l.* a year is necessary, I do not know what the state of the accounts of the Thames Conservators is, and whether that 18,000 *l.* a year is necessary for the maintenance of their locks, towing paths, and weirs.

3520. Take it from me that it is necessary?—I fully believe that it is.

3521. That to a certain extent would be a public calamity?—It would be a public calamity. At the same time it is a question whether it is a proper charge upon the water rates of London.

3522. Is it not a proper thing that the water in London should be as pure as possible?—Certainly, so far as scavenging is concerned; I was speaking of the navigation expenses

3523. The navigation expenses are partly connected with the purity of the water, are they not?—Not much, I think.

3524. Is not the fact that weirs impound the water closely connected with the purity of the supply and the quantity of the supply?—It makes the supply more constant; it gives a certain set of reservoirs.

3525. I was just going to say it makes in a certain sense a set of reservoirs up the rivers which impound flood waters; is not that so?—Yes.

3526. Do you know that the aeration of water is one of the means of burning out foul matter?—I daresay it is.

3527. And that the weirs have an effect upon that?—I daresay they have, but I am not competent to give an opinion upon that.

3528. So that that which is spent on the navigation is a benefit to the consumers of water in London?—Some benefit. A still greater benefit to the pleasure seekers of London, for the Thames is becoming the great play-place of London.

3529. And is important in that way as a water-park for London?—Oh, it is important to London, and very important.

3530. If the navigation were not kept up of course floods would increase, and destruction to property might result?—I am not sure that floods would increase.

3531. Would not they?—The river would assume more the character of a torrent.

3532. But do you not know that the Thames Conservancy have constructed a great many works in order to keep floods out of the Thames?—Yes;

Mr. *Balfour Browne*—continued.

—Yes; but I am not engineer enough to say whether their works prevent floods.

3533. I want to ask you about that report you read yesterday of Dr. Blaxall; in his report, which was made to the Local Government Board in 1891, he stated that the result of his inquiries showed unmistakeable evidence of the want of sanitary administration; that is what you told us, I think?—I read the report verbatim.

Mr. *Rickards.*] Part of it.

Mr. *Balfour Browne.*

3534. I have his report: "I made an exhaustive inspection of the district, visiting the several villages, hamlets, and blocks of new buildings, with the result of finding at every step of the inquiry unmistakable evidence of the want of efficient sanitary administration"?—Did I read that?

3535. That is on the first page?—I did not read that.

3536. I propose not to read the same extract; I only want to get at what the report meant. He further reported that the rural sanitary district contained "many large villages and populous places which are unprovided with proper sewerage and drainage for the purposes of the Public Health Act." That you will find also on page 1. Then on page 3 he says: "At certain places, especially Stanwell, the people are dependent on ditches and brooks for their supply." "There are no bye-laws for the regulation of slaughter-houses, the keeping of pigs, or for the construction of new dwellings. Such bye-laws are greatly needed, and could at once be made if the sanitary authority had applied for and obtained (Section 276, Public Health Act, 1875) the powers of an urban authority." "In the new houses that are being constructed in the Staines rural district, there is a lamentable neglect of elementary sanitary principles; and neglect in this matter is the more to be regretted, because these faults of construction must needs be so difficult to amend hereafter." In every one of those allegations, which practically summarise the report, it is the sanitary authorities that are complained of?—I made no charge, in reading this report, against your clients.

3537. I daresay not, but I only want to get it clear that my clients are not to blame. First of all, the complaint made there is as to the sanitary authorities?—In those passages you have read, it is.

3538. And I think you will find there is no complaint made of us. Now is it a fact (because I am going to prove the contrary, and I have to put it to you) that no sewage gets into the Thames from that district which was complained of?—I really cannot tell you.

3539. If not, all this report which blames the authorities has nothing to do with this inquiry?—I do not know that.

3540. Let me ask you how, even if these sanitary authorities have not applied for Bills, if the arrangements for sanitation are bad, and if no sewage gets into the Thames, how has it to do with this inquiry?—My eye lights upon this passage: "But the discharges from each several case of typhoid fever in the Staines rural district, if they find their way from the district cesspools along tee gravel stream into the Thames, have the opportunity of 'specifically contaminating' vast quantities of the river water."

Mr. *Balfour Browne*—continued.

3541. There is great virtue in an "if." He says "*if* they find their way." If I can show on the other hand that they do not get into the Thames, then has this report anything to do with the inquiry?—Will you allow me to read you the first part: "The general filthiness of soil and water in the Staines rural sanitary district is probably a matter of more than local concern. Besides the rain that falls on the district, large volumes of water course through the river gravel which forms the subsoil, and into this gravel are washed the contents of several thousand cesspools purposely dug in the gravel for convenience of discharge thereinto. The water thus befouled flows directly or indirectly into the Thames."

3542. "Directly or indirectly"?—Yes.

3543. That means that it may come out in springs below London for anything we know to the contrary?—It may, but that is not exactly what he means, I think.

Mr. *Freeman.*] Read the next bit, Sir Thomas.

Mr. *Balfour Browne.*] Certainly.

Witness.] "The water thus befouled flows directly or indirectly into the Thames. Entering the Thames at various parts of the ten miles where the district abuts on the river, the principal and most direct flow of the water through the gravel bed of this district would seem to be from west to east, and its discharge to be mainly into the lower portion of the boundary river in the neighbourhood of Sunbury."

Sir *Algernon Borthwick.*

3544. Just at the intakes?—They are just above the intakes.

Mr. *Balfour Browne.*

3545. Is not that below the intakes of the water company?—No, I think not, above; certainly that "10 miles" is most of it above.

3546. That is with regard to the rural district. Are you aware that for some years past the conservators have taken proceedings under their Acts against the Staines local authority; this report dealt with the rural, I am now going to ask you about the urban. Are you aware that the Thames Conservators have taken proceedings under their Act against the urban authority, the local board of Staines, and have recovered penalties varying from 1 *l.* to 20 *l.* on various occasions?—I do not know anything of it, except by hearsay.

3547. Do you know that those penalties, although recovered, had no effect on the local board, the conservators pressed the matter and prosecuted an action against the local board?—I do not know anything of it.

3548. You do not know anything about it?—I know nothing at all about it.

3549. Do you know that since the failure of that action, which failed on a technical point, which we will have to describe, we have served notice on one hundred individuals to discontinue the discharge of sewage?—No, I did not know anything about it. I made no charge against the conservators;

Mr. *Balfour Browne*—continued.

conservators; I think they do the very best they can; I think their jurisdiction only extends to certain districts of the Thames and its affluents.

3550. Ten miles on each of the affluents up to Cricklade, and ten miles beyond it?—I do not think it extends to Guildford, for instance.

3551. Do you know further that the Local Government Board are empowered under Section 299 of the Public Health Act, where the sanitary authority will not act, to act in their place?—No, I do not know the Local Government Act well enough to answer that.

3552. You have made yourself, of course, as we saw from your evidence yesterday, familiar with a good deal that has taken place with reference to water in the past?—Yes.

3553. Do you know that in 1880 Colonel Bolton, the late Metropolitan Water Examiner, stated before Sir William Harcourt's Committee that he had no fault to find with the Thames water when filtered?—There are plenty of passages to be found of that kind, and there are plenty of passages also to be found which show that there is great danger from contamination.

3554. Tell me, if that was in 1880: are you aware that the Thames Conservancy have done a great deal since that date to make it even purer than it was then?—From my knowledge of the Thames Conservators I am satisfied they will have done whatever was in their power.

3555. And that the condition of things is improved, even since 1880?—That I cannot tell you.

3556. Do you know that he also stated to that Committee that water frequently deteriorated after supply by the companies, by reason of the dirty state of the cisterns of the consumers?—There is not a shadow of doubt about that.

3557. Do you know that the Local Government Board in their annual reports to Parliament have constantly drawn attention to the cleaning of cisterns and the necessity for it?—Oh dear, yes.

3558. There was an inquiry held at the Guildhall last year, and Sir Robert Rawlinson, who is a great authority upon these matters, and was engineer to the Local Government Board for many years?—Yes, I know Sir Robert Rawlinson very well.

3559. You know that he said that he did not think any benefit would arise by getting water from North Wales, as better water could not be obtained than the present supply in London. I know Sir Robert Rawlinson has always been of that opinion.

3560. Now I am going to quote another authority. Do you know that General Scott in his report to the Local Government Board in 1889, stated that the quality of the water supplied has improved in a marked degree in recent years?—That is very possible. If you were to quote all the passages bearing one way and the other, out of all these reports you would find yourself in a mass of very conflicting evidence.

3561. I am content to take the evidence as I find it?—I quoted you only two yesterday, and my case is only that there is a case for inquiry.

3562. Only for inquiry?—Yes, that is all.

Mr. *Balfour Browne*—continued.

3563. Do you know that Sir Robert Rawlinson's opinion has also been expressed often that with regard to quantity, the Thames Valley is quite sufficient for a copious supply of London?—Yes, I am quite aware of that; there are plenty of opinions both ways there.

3564. You have said distinctly that you do not make any charge against the conservators?

Certainly.

—3565. That is all I ask for the conservators; I will ask you one or two questions for the Hertfortshire county council; is it fair in principle that the wells in Hertfordshire should be left for the supply of that district?—Well, if you began with things *de novo*, you would say that each district ought to be supplied with its own water before it parts with it for a neighbouring district; but if you came to that as the actual position and deal with the fact, it is impossible to say that the Amwell springs, which have so long been used for London, belong to Hertfordshire rather than to London.

3566. I follow that; but first of all, do you think that London should be allowed to pump water from Hertfordshire that is absolutely required for the people there?—Not so as to diminish the present supplies of the Hertfordshire people.

3567. Let me put a case to you: suppose that the existing pumping should actually lower the water in the ditches and the rivers of the county; do you think that ought to be allowed to go on?—If I were a Hertfordshire person, I should complain very loudly.

3568. In the meantime I want to look at it independently of Hertford or London?—And being a London person I should not wish to do it.

3569. In any inquiry which you or the county council wish to conduct, would the fair requirements of Hertfordshire to its own water be fully and properly considered?—Most certainly.

3570. Even as to the taking back some of that water which has been taken away from it?—That is a rather more difficult question, which I should like to reserve my opinion upon.

3571. You told us yesterday (I think it was yesterday), that the influence of joint stock companies in Parliament——

Mr. *Lawson.*] That is to-day.

Mr. *Balfour Browne.*

3572. You told us to-day that it was overwhelming?—Has been overwhelming.

3573. Of course it was joint stock companies that took away our water?—I suppose it was.

3574. Until 1888, there was no general authority for the county to protect the water supply?—No.

3575. Under these circumstances do you think it would be fair to continue and to stereotype an injustice?—Perhaps I can answer you that best in this way; that, I think, if we buy the wells of the existing companies, we must buy them subject to a deduction for any claim that Hertfordshire may establish on this ground.

3576. You mean to say that you want the companies to pay the money or to lose the money

Mr. *Balfour Browne*—continued.

that would be consequent upon the wells being kept by Hertfordshire; is that it?—That if Hertfordshire establishes a reasonable claim to the water which the companies now take, London should not be bound to pay for it.

Mr. *Lawson.*

3577. Do you mean a legal claim?—Such a claim as would be listened to before a Committee of this description.

Mr. *Balfour Browne.*

3578. That is why we are here, because this Committee will listen not merely to legal claims but to equitable claims; you know, of course, the instruction from the House that this Committee is to inquire into the sources of supply; supposing it finds that one of the sources of supply has been too largely drawn upon by the overwhelming influence of joint stock companies?—I do not wish to put more sins on the backs of joint stock companies than they deserve.

3579. This Committee can at any rate under that instruction inquire into it and report that it would be equitable that we should be allowed to keep the water that we require?—I suppose so; I do not pretend to judge what is within the functions of the Committee.

3580. I beg your pardon, I think you have been judging what the functions of the Committee are, because you would propose to remove all those functions and give them to a committee of the London council so far as I see. Do not you see the proposal you have made for the county council for inquiry is the very thing the House has directed this Committee to do?—If the Committee will undertake to do it we will give them our best assistance.

3581. That is your proposal?—It is quite enough for me to tell you that we do not wish to take water from Hertfordshire to the distress of Hertfordshire.

3582. It is not enough for me, but is as much as I will get in the meantime. You told us yesterday that the supply from wells was of great value to London?—Did I?

3583. I think so?—Surely I did not say that of the Kent Company, did I?

3584. I am not sure. I will read what you said: "From the report of our engineer (and he will himself give evidence upon this subject) it appears that of the three sources of supply, namely, wells, the River Lee, and the River Thames, the supply from wells is uncertain"?—I was speaking of wells generally; and just let us consider the questions as you have been raising them, whether you can indefinitely obtain water for London from the valley of the Lee, or from Hertfordshire.

3585. One of the things you have proposed as possible is to go for an entirely new source of supply?—That is one of the suggestions.

3586. Under these circumstances there would be no difficulty in leaving the wells of Hertfordshire to themselves?—Certainly there would be. If we found we could not get, and ought not to get, a proper supply as near as Hertfordshire, we should have to go to more distant places.

3587. You spoke of the meeting that was held, a "conference," I think, it was called, between

Mr. *Balfour Browne*—continued.

members of the county council and other representative authorities. Is not that so?—Yes. I have already described the nature of the meeting as an informal meeting.

3588. I only want to get at this; there were four proposals made by the London county council at the meeting, I think?—There were five propositions, I think, laid before them.

3589. I beg your pardon; five?—Yes.

3590. The first of them was: "That the system of water management and distribution as generally adopted at the principal provincial towns would be preferable for application to London and neighbourhood, rather than the establishment of a water trust as proposed by the pending Bill." That was agreed to, I think, by almost all there?—By all that were there.

3591. The second was: "That the question of the efficiency of the present sources of supply for the future requirements of London and neighbourhood must be adequately investigated before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies." First of all I will direct your attention to this: "adequately investigated," the requirements of London and the neighbourhood; I suppose that would include such a district as I am speaking for?—Certainly.

3592. That was agreed to, too?—That also was agreed to.

3593. Now we come to where they started off?—No 3.

3594. Was that agreed to?—Yes.

3595. That the supply of water in each district in the metropolitan water area, outside the boundary of the county of London, should be as far as practicable in the hands of the local authority of such district, and within the county of London in the hands of the London county council." That was agreed to, too?—Yes, that was also agreed to.

3596. Where they split off from you was on this: "That this should be effected by constituting the London county council in the first instance the water authority for the county of London and for the adjoining area now supplied by any metropolitan water company whose undertaking may be acquired by the London county council." They would not agree to that?—And number five; perhaps had better read them together.

3596. And five: "In the event of the undertaking of any metropolitan water company being purchased, any local authority outside the London county boundary, and within the area of supply of such company, shall have the option either (1) of purchasing on suitable terms so much of the works of distribution as is appropriated to the district of such local authority, with the right to a supply of water in bulk from the London council on terms to be arranged; or (2) of having water supplied direct by the London county council." Those two, 4 and 5, were not agreed to?—No. They were not exactly agreed to, but what the people who were present said was that they required a good deal more consideration than they could give to them at the time, before they would assent to them. The chairman, Sir John Lubbock, pointed out that No. 5 at any rate was really

Mr. *Balfour Browne*—continued.

really imposing an obligation upon the London council in case it purchased the water companies, an obligation which was thought only only fair if they did purchase them. There was distinctly on No. 4 a general feeling, which I think I have expressed here before; there was a desire on the part of those who were present, that in certain cases at any rate the several districts should have the management of their own water.

3598. That the London county council should not take the initiative in the first instance?—No, there was no such thing as that?

3599. I think I can direct your attention to something that will make you differ; but, first, upon 5 I will ask you this: What you were proposing to sell was the works of distribution and any portion of the water supply?—Quite so, that was not mentioned there, but it was mentioned in discussion.

3600. I think it was mentioned?—It was not mentioned in these resolutions which were put before them, but it was mentioned at the meeting, and the same opinion was expressed on the part of the council that I have expressed here; that there would be no objection to handing over the water provided you did not thereby cripple the supply of London.

3601. I find in the report certain very strong representations were made, which I will read to you?—In which report?

3602. In the report of the proceedings. It is the same matter we are dealing with.

Mr. *Freeman.*] Where are you reading from.

Mr. *Balfour Browne.*

3603. I am reading from page 14. Mr. E. E. Baker, who was appearing for certain districts in Kent (and I want to adopt his language), said: "If the London county council went to Wales and spent 15,000,000 *l.* for the purpose of getting a further supply, we in Kent should most strongly oppose such a thing. The water is lying at our feet, and we could get that water and distribute it at a cost of about 2 *d.* per 1,000 gallons. Therefore it would be very wrong that we should be called on to pay any part of the expenses of procuring a new supply which we do not need from Wales"?—That is perfectly true on the supposition that the London county council purchase the whole of the undertaking of the water companies, and then have to go for an additional supply to Wales. The Kent people say: "We do not want to pay our share of the purchase of what is a very good concern from the Kent Company, and also to have to pay the expense of bringing water from Wales," which is perfectly right. But I do not think they quite saw at the time that if this supply of the Kent Company is as good as they represent it to be, a higher price would have to be given to the Kent Company than to the companies whose supplies are inferior, and if they wished to have part of the undertaking of the Kent Company they must recoup the London county council for what they have spent upon it. It is very much a matter of pounds, shillings, and pence.

3604. You think that, because you especially and some of the companies have an inadequate supply, and (and that is not denied) that the

Mr. *Balfour Browne*—continued.

Kent Company has an adequate supply, the Kent Company might possibly get more?—I think it exceedingly probable. It would be very fair that they should.

3605. At any rate, leaving out the question of purchase, with which I have nothing to do in the meantime, you admit that Kent claims to have water lying at its feet?—On proper terms.

3606. On proper terms; therefore you cannot deny that Hertfordshire has precisely the same right to water lying at its feet?—On proper terms.

3607. You remember Sir William Harcourt's Committee said they could look into past legislation, and correct it where it was wrong: as you have already admitted, if this was done wrongly in the past, Parliament can correct it now?—If you put it broadly in this way, I do not think there would be any wish on the part of the county council to saddle the cost of bringing water from Devonshire or from Wales upon the inhabitants of Hertfordshire or Kent, who have plenty of water of their own.

3608. You have considered the question as well of outside authorities, mains, and distribution, have you not?—I have considered it in general, but not by any means in any detail.

3609. I daresay you know that in a good number of northern towns Acts of Parliament have been passed giving outside districts the right to purchase means of distribution in their area?—That is what we intended to offer by this clause.

3610. Do you know that under one of those clauses an arbitration has taken place between Wakefield and two of the outlying authorities to settle the terms upon which the outlying district should purchase?—I think you had better reserve those questions for Mr. Binnie. He is well acquainted with them.

3611. I will just give you the figure, and see if it will change your view. I will ask the question first: you would claim to be paid a proportionate part at any rate of all that you had given for the water companies?—We are not yet in a position to say what the terms would be with any special company.

3612. I will ask you this; in the case of Wakefield, the corporation had purchased, say, a company; the local board of Sandal came and asked to have its proportion, and the Wakefield Corporation said: the proportionate part ——?

Mr. *Freeman.*] He knows nothing about this.

Mr. *Balfour Browne.*] I am going to ask him a question.

Witness.] I have nothing whatever to do with it.

3613. Just take this from me, and I will ask you a question upon it; the corporation claim as a proportionate part of the undertaking 52,500 *l.*?—Do you know, I would much rather not give an opinion upon facts stated in this way without a full opportunity of considering them.

3614. I can only ask the question, if you do not know the facts, by telling you the fact, asking you to assume it and give your opinion upon it?—It is of no value, an opinion given in that way.

3615. Just take it from me that the claim of

Mr. *Balfour Browne*—continued.

the corporation is a proportionate part of 52,500 *l.* Do you know what they are paid for their pipes 1,010 *l.* —— ?

Mr. *Rickards.*] Sir Thomas Farrer says he knows nothing whatever about it.

Chairman.] You are rather giving evidence yourself now, Mr. Balfour Browne.

Mr. *Balfour Browne.*] Not exactly, Sir.

Chairman.] There must be some other way of getting this in. It is rather taking up time to ask Sir Thomas Farrer about it. If there is no other way of getting it in, it may be done ; we want every information before the Committee.

Mr. *Balfour Browne.*] I think we can get it in other ways.

Mr. *Meysey Thompson.*] With regard to the local authority for whom I appear I am in rather a difficulty in this way, my learned friend Mr. Balfour Browne has just been dealing with representations made at the meeting between the London county council and these local authorities and what was stated by the representative of the Kent authority : Now I do not want to follow over the same ground that he has already dealt with, and I am sure you would not wish me to do so; I can only ask that I may take advantage of any cross-examination by my learned friend on behalf of Kent, dealing with points common to us both ; I also ask leave to put one or two questions to carry it a little further ; but I will try not to repeat anything which has been asked already.

Chairman.] You appear for Bromley and Beckenham ?

Mr. *Meysey Thompson.*] I appear for the Bromley rural sanitary authority, the Beckenham Local Board, and the Richmond Corporation.

Cross-examined by Mr. *Meysey Thompson.*

2616. With reference to what you said just now, that, in your opinion, the springs of any particular district should, in the first place, be appropriated for their own district. There is, of course, that state of things in Kent at this moment. The spring, and the water generally, throughout that district are appropriated for the district of the Kent Company ?—I suppose it is so ; but I cannot tell you to what extent the Kent Company bring the water from their wells outside the boundary.

3617. I mean, for the Kent Company's area, to supply water in or outside the metropolitan area ? —Is now appropriated to those who live within the area of that company, you mean ?

3618. Yes ?—Yes, I presume so.

3619. Do you know that one of the proposals of the Bill is that the water trust should be entitled to take this water and use it in any part of London which they may think fit ?—Yes, I am aware of that.

3620. Have you any material at the disposal of the county council which would enable you to say whether or not the supply of water within that district is more than sufficient for the present needs of the district, and the needs which will naturally arise with the largely increasing population in the near future ?—I could not tell you that.

Mr. *Meysey Thompson*—continued.

3621. You do not know ?—No.

3622. Do not you think, before any power is given to use this water in other districts, that inquiry should be made whether there is more than sufficient for the needs of the district ?—Yes ; I think so.

3623. I daresay you know that the Kent Company, or probably you would not know, that the Kent Company's Acts at the present moment contain no power to supply in bulk the outside areas ?—Probably.

3624. There was a question asked you by my learned friend with regard to the purchase by local authorities of these portions outside ; that, I think, you represent is merely a matter of arrangement between the local authorities and the county council ?—Yes ; I think so.

3625. It would not affect in any way the position of the companies, according to your view ?—No ; not according to my view. According to my view, the local authority would pay its fair share of whatever was paid.

3626. And do you think it would be reasonable, if possible, that the amount to be paid by the local authorities to the county council should be settled at the same time as to the amount to be paid by the county council to the companies ?—I think it would be very desirable if it could be managed.

3627. Of course you know that stamp duties may arise, to the extent of thousands of pounds, on an award of that kind ?—Yes.

3628. There would be a largely additional cost there to the local authorities ?—It would be very much to the interest of the council to get the whole thing settled at once, if it could be. I have not looked forward to the exact *modus operandi.*

3629. Assuming it could be done, when making inquiry, for instance, into the value of the property of the Kent Company, it would probably not be very difficult to examine also into the possibility of cutting off a part of it to get the value back ?—Quite so.

3630. There is one other point I should like to ask you, and that is this : supposing we do not purchase ; supposing you continue to supply us ? —Supposing the local authority do not purchase ?

3631. Supposing the local authority do not purchase ? Supposing the county council purchase, and supplies the districts, not only within, but outside the Metropolitan area ? Under these circumstances, however ample our own supply might be to supply that district, we might be called upon to pay, either through rates or by rates in aid being levied (I mean water rates) for the cost of the supply of water from Wales or Devonshire ?—Not if we supplied you in bulk upon terms to be agreed.

3632. I say if we do not purchase ?—If you do not press that, supposing the rate were to be equalized over the whole of London – supposing that to be so—I do not say that they would be at all.

3633. Do not you think it would be reasonable that some arrangement should be made for some rate like that which you have under the Public Health

Mr. *Meysey Thompson*—continued.

Health Act, where you have a special rate appropriated for a particular purpose?—I think that is a thing that might very well be considered.

3634. Of course I cannot ask you to offer a definite opinion?—Oh, no.

3635. But that is a matter which you think might very well be considered?—It is a perfectly proper subject for consideration.

3636. I think I need only ask you just one or two questions with regard to Richmond. Richmond, I daresay you know, is in a rather peculiar position. It is technically within the area of supply of the West Middlesex Company, but the West Middlesex Company say they are physically unable to supply us. Therefore we applied to the Local Government Board, under the Public Health Act, for powers to supply ourselves. We got those powers, and after we had erected our works, the Southwark and Vauxhall Company came to Parliament to obtain powers to supply that very district, Parliament refused the application?—

Mr. *Rickards.*] I do not want to interrupt my learned friend, but really is not this a mere matter of clause? We have already added Richmond to the 49th Section of the Bill.

Mr. *Meysey Thompson.*] I say that clause is absolutely inadequate; the principle is wrong.

Chairman.] I am not quite sure whether Sir Thomas Farrer will be able to answer the question. Let us see what it is.

Mr. *Meysey Thompson.*] I think he will. (To the *Witness*): Technically we are within the area of supply of the West Middlesex Company. Therefore we should come within the area which is proposed to be purchased by the London county council, but practically we are outside the area of supply of any metropolitan company, because Parliament has refused powers to the Southwark and Vauxhall Company, is it reasonable or fair ——

Mr. *Rickards.*

3637. Do you know all that, Sir Thomas?—I think I can probably satisfy Mr. Thompson by saying if Richmond has its own independent supply, the London county council would have no wish to interfere with them at all.

Mr. *Meysey Thompson.*

3638. You would have no objection to a suspensory clause that they should not supply in competition but only by agreement, I take it?—I would rather put it in the general way; that we should not wish to interfere with them at all.

3639. And any clause inserted to carry out that intention you would have no objection to?—So far as I can judge at present; but I must know the facts.

3640. I ask you generally?—The London county council have no wish to interfere; they would much rather be quit of interference wherever they can avoid it.

3641. And would not wish to supply in competition with a local authority already supplying themselves?—No, if they are satisfied.

Mr. *Clarke Williams.*] I appear for the West Kent Main Sewerage Board. There is just one question in addition to those put by Mr. Meysey Thompson I should like to put on behalf of that board.

Cross-examined by Mr. *Clarke Williams.*

3642. You have been asked several questions tending to show that purchase by the local authorities in Kent would fail in economy and fail in administration, and cause you great difficulties, because you might have to sell to one in one place, and to one in another, and to leave patches in your own district; I want to ask you whether in your opinion all those objections would not be met by a combination of those local authorities for the purchase of the extra metropolitan part of the Kent company?—I think the London county council would have every reason to be grateful to the authorities if they would combine for such a purpose.

3643. And if they did not combine, then by the board which I represent; which practically is represented by the whole of that district; that would meet all those objections, would it not?—Yes.

Cross-examined by Mr. *Giles.*

3644. I appear for the Wimbledon local board. I think you said that neither at the conference nor at the London county council was any decision come to as to the payment of the outside areas?—We were not in a position to come to any decision; it was merely a *pourparler.*

3645. I also understood you to say that as far as your opinion went you were in favour of the outside areas not being represented upon the water trust?—For the sake of avoiding multiplicity of jurisdictions and making the new body as far as possible a municipal body representing London.

3646. Then as far as regards that large area which is now supplied with water by the eight water companies, without that area outside the London county council district, it would be really at the mercy of the London county council with regard to their supply of water?—I do not think so any more than the areas outside Manchester and Liverpool are at the mercy of those corporations.

3647. At any rate, they would not have any representative upon the board?—This is a point that has not been much discussed, but my own opinion is against a confused body of that kind.

3648. That is your reason for the opinion that you have arrived at?—Quite so.

3649. You do not suggest it is at all fair to those outside areas that they should not be represented?—It is a question of convenience, and I do not think they would get very much by a representation upon this body. They would get much more by a clause in an Act of Parliament enabling them to treat with a body upon proper terms.

3650. It is a convenience more to the London county council than to the outside areas?—The formation of new bodies of government in London is, in my opinion, a thing very much to be deprecated.

3651. I will not ask you anything more about that,

Mr. *Giles*—continued.

that, but in the event of the statutory committee being formed as you suggest, would the Corporation of the City of London be represented there?—That is so; but the Corporation of the City and the London county council are necessarily united for a great many purposes, and I hope they will be united for a great many more; and that will not be the case with the outside districts.

3652. Really, then, it amounts to the formation of a new body, does it not?—It amounts to the City and the council acting, I am happy to say, together upon this matter as well as they can.

3653. It amounts to the formation of a new body, does it not?—If you call that a new body.

3654. The London county council have not any jurisdiction within the City of London, have they?—Oh, yes; they have, indeed: all the drains in the City of London are under them, and other things, too.

3655. At any rate, what I want to put to you is this: that if the statutory committee is formed, and the Corporation of the City of London is represented upon it, is there any sound reason why the outside areas should not also be represented upon it?—Yes, there is a very sound reason. The City of London stands in a very different position to the council from Wimbledon.

3656. In the event of the Bill passing in its present shape, and the London county council resolving that they should be deemed the Water Trust, those outside areas would have no representation whatever?—They would have no representation upon the council, certainly not.

3657. On the Water Trust?—On the Water Trust, no.

Cross-examined by Mr. *Rickards.*

3658. I want to ask you a question or two on behalf of East Ham; the water supply of East Ham comes from the East London Waterworks?—Yes.

3659. What we want to know is this: that supply is partly an intake from the Thames and partly from wells?—Yes.

3660. Would those wells be left within the county of Essex for the supply of the local districts, or would the London county council desire to acquire them?—I really cannot answer that question without knowing a great deal more of the circumstances.

3661. Suppose it be found impossible to sever the means of distribution would you propose to give the local authority any representation upon your committee or council?—I have stated that the matter has not been much discussed. I have just stated, in answer to the gentleman who has been putting questions to me, what my own impression is.

3662. I do not want to go over the same ground that has been gone over by Mr. Pember and the other counsel who have examined you, but just to sum up your position with regard to the outside authorities; your negotiations with them so far have been without prejudice?—Yes, certainly. We do not consider anybody is bound by anything that has been done.

Mr. *Rickards*—continued.

3663. And they have resulted in no definite agreements?—They have resulted in no definite agreement.

3664. One or two general principles have been arrived at, such as that the local authority should have the supply of water, where practicable, in its own hands?—I have stated that rather as the result of my own impression of what passed. The only thing that has been put into writing are those three propositions which have been read so often. Mr. Cripps has had some communication with the local authorities since that meeting, and I think, he will be able to state, more completely and accurately than I can, exactly how the matter stands with them now.

3664*. Was this the first occasion with reference to this inquiry, on which you entered into negotiations; I will put it in that way, with outside authorities?—The negotiations, such as have taken place principally in this room, have been by communication between our agents and representatives in this room, and the representatives of the authorities.

3665. You were kind enough to admit to me when I ventured to interrupt your examination in chief, that the authorieties represented at those negotiations were 14 in number?—Here is the paper. I think there were 14.

3666. I will just glance for a moment at them; I have here the report you have been good enough to furnish; I see the members of the London county council were five. The Right honourable Sir John Lubbock, chairman, whose opinion, of course, we treat with the greatest deference, yourself, the vice-chairman, Mr. Haggis, the deputy chairman of the council, Mr. Dickinson, the vice chairman of the Parliamentary Committee, and Mr. Doubleday, member of the Water and Markets Committee?—And Mr. Charles Harrison.

3667. Yes, I see Mr. Charles Harrison, in the chair?—Will you allow me to say that those five gentlemen were also members of the sub-committee that I told you of, to whom the London county council have deputed the management of this business here.

3668. Now with regard to the members or representatives of the local authorities I see there are no less than four members of the Middlesex county council present?—Yes.

3669. There is my learned friend Mr. Littler, the chairman of Middlesex county council. There is Mr. Dixon Hartland, a member of the House, Mr. Bigwood also a member of the county council of Middlesex; I see that there are members of the Southgate local board, where my learned friend Mr. Littler happens to reside, and as you very candidly stated a nett result of 14 outside authorities represented at these.

Mr. *Freeman.*] A great many more than that.

Mr. *Rickards.*] There are some members who represent various authorities.

Mr. *Freeman.*] In one case one member represents five or six authorities.

Mr. *Rickards.*] Yes my learned friend is right so far that a certain Mr. Gordon Mullen represented

sented the Bromley and Beckenham local boards, the Bromley Rural sanitary authority, and the West Kent main sewerage board.

Mr. *Freeman.*] And Mr. Baker represented Beckenham, Bromley, Dartford, and other authorities.

Mr. *Rickards.*] Mr. Baker is a Parliamentary Agent, is he not.

3670. And he represents Beckenham, Bromley, Dartford, and other authorities, in very much the same way as Mr. Mullen, and he represents them in a professional capacity before this Committee.

Mr. *Freeman.*] That does not matter.

3671. Do you know the total number of outside authorities comprised within the present metropolitan area?—No, I could not tell you.

3672. Are you willing to take it from me that it is 80 or 90?—It may be. I told you that this was an informal meeting of such persons as we could get hold of.

3673. In this room?—In this room, and of such persons as Mr. Cripps could get at.

3674. Am I right in saying that the local authorities represented at that meeting are all opponents of this Bill; I mean to say there are none beyond the opponents of this Bill?—I am very glad to hear it.

3675. And some of these gentlemen even appear by counsel, as you are probably aware?

Mr. *Freeman.*] You must recollect that when my friend says "this Bill" he means the vestry Bill.

Mr. *Rickards.*

3676. The local authorities who attended that meeting were some of them opponents of the Bill?—I do not know whether they were confined to those who opposed the Bill. I know nothing of the opinions of the others. I have not heard of a single outside authority that cordially supports the Bill.

3677. You are aware, probably, I do not want to enter into these matters more fully than necessary, that notice of this Bill was given to all the outside authorities as far back as November last, and their opinions asked on the subject of the Bill itself?—No, I am not aware of that.

3678. And that in spite of that only some eight out of 80 or 90 are now opposing the Bill by counsel?—I am not aware of that. I do not know what the state of things is.

3679. Will you take that from me?—Yes. Our experience at the council, from communicating with the vestries and the outside boards, is that they show very little enthusiasm about these Bills one way or the other unless they are very distinctly hit by them.

3680. Now with regard to the petitions?—I think if you will ask Mr. Cripps about petitions it will be better. I know very little about them.

3681. Perhaps you will answer this question if you can. Do you know that many petitions of the outside authorities against this Bill were directed against a part of the Bill that proposes as an alternative that the London county council should be the water authority?—Quite possible.

3682. I do not want to labour this question, as I said before. With regard to the outside

Mr. *Rickards*—continued.

authorities, you have this position of affairs that neither the London county council nor the outside authorities are bound by what has taken place, and that the opinions of only 14 of them have been elicited at all in regard to your present proposals, and that with regard to some of those proposals, proposals 4 and 5 were adjourned because the outside authorities did not agree with them?—Because they had not sufficiently considered them. I ought to say we have failed at the county council to get any evidence of the support of the outside authorities to this Bill.

3683. When a Bill has been deposited in November, or rather notices for the deposit, the Bill itself being introduced at the beginning of February, notices issued by Mr. Wilkins on behalf of the promoters of the Bill, and of the nature of its provisions, do not you think it is a fair inference that if there are no more than eight members against the Bill on its merits that silence gives consent?—That they do not care much about it, I should think.

3684. Some of them you have very kindly admitted do object to the alternative proposal to hand over the water supply to the London county council?—So you tell me.

3685. Now I leave that matter; then with regard to your position with the Corporation of London; I have here two papers, one dated the 25th May 1891 and the other the 29th May 1891?—Yes, I have the one of the 29th May 1891.

3686. Do you know how they came to be printed on separate dates and in somewhat different form?—No, except this, that our negotiations are going on *de die in diem*, and things are put down as they occur.

3687. In other words, alterations are suggested and have to be considered?—Yes.

3688. I will take one of them; your first proposal is that a committee of the London county council should be constituted, whose functions should be defined by statute?—Yes.

3689. I take it then that the proposal which you put before the Committee at the present moment, because of course it is patent that you have no bill to lay before the Committee, is that hereafter the London county council should introduce a Bill delegating water powers to be defined on Statute by a future Bill?—I have already explained, I think, that the council would be indifferent whether the Bill is introduced by them, or whether it is by alteration of the Bills already before Parliament, and before this Committee.

Mr. *Russell Griffith.*] Will you allow me to interpose for a moment? There appears to be some confusion in this matter. I thought it was put straight yesterday. At page 159 of yesterday's evidence appears the actual document which was agreed upon between the City authorities, the corporation, and the council. That is different from what my learned Mr. Rickards is reading. The memorandum on behalf of the London county council, printed by the London county council, and the actual terms of the agreement to which Sir Thomas Farrer referred yesterday, are to be found in the print at page 159, and if my

my friend would cross-examine on that I should be obliged, because it represents the actual terms.

Mr. *Freeman.*] My learned friend is entirely right.

Mr. *Rickards.*

3690. Do I understand that this paper which has been put forward, this paper which we had referred to yesterday, and which by an oversight has not been printed upon the minutes, but which was examined as to yesterday, and which is dated 29th May 1891, varies from the agreement arrived at with the Corporation of London to which my learned friend refers?—Not substantially.

3691. For the present I prefer to examine you on that paper.

By the *Committee.*] Why is not the original agreement produced. There seems to be some mystery about it.

Mr. *Russell Griffith.*] A fair copy was made of the original agreement and taken away by Mr. Charles Harrison. We have the draft from which that agreement was taken.

By the *Committee.*] It was stated distinctly that there was a signed agreement.

Mr. *Russell Griffith.*] I understood at the time it was initialled by both parties. I find I was wrong, it was not initialled; but Mr. Charles Harrison was present. It was read over and dictated to a clerk and a fair copy given to him, and he took it away. He is the chairman of the Parliamentary Committee of the London county council.

By the *Committee.*] Sir Thomas Farrer stated yesterday that the agreement as printed for the corporation of London was an exact copy. It was stated that there was an agreement signed or initialled.

Mr. *Russell Griffith.*] So I understood at the time. I was told it was initialled, but I am told it was not initialled, but that each party took one.

Mr. *Freeman.*] And this document, which is printed at page 159 of yesterday's evidence, absolutely represents what occurred.

Mr. *Rickards.*] I do not accept that.

3692. On the 8th of May, when you had this conference with the outside authorities, was any mention made of your having come to an arrangement with the Corporation of London?—I really cannot tell you, but I should think probably not, because it was in the stage of conversation and negotiation. I think it is most likely it would not have been, because until we had come to something a little more definite it would not be right at such a meeting as that to mention it. It would not have been fair to the City.

3693. When was this idea that you should agree with the Corporation of London first started?—That is more than I can tell you. If you want to know when it first occurred in my mind, I may say that it has been in my mind ever since I have thought of the water question, but I do not say that anything has been done upon it.

3694. Therefore, when the outside authorities came to the conference on the 8th of May, they

Mr. *Rickards*—continued.

were not in the possession of the fact that any arraugement was contemplated, or had been come to between the London county council and the Corporation of London?—We were not in a position to tell it to them. I do not think there would have been any objection if any of them had asked the question; there was no particular secret about it.

3695. At any rate you did not volunteer on behalf of the London county council to put the outside authorities in possession of that fact?—No. We should have thought it right, if we had intended to do that, to ask the City to come and join us at that meeting.

3696. So that you had two meetings, and you treated the subjects as distinct. You dealt with the corporation, on the one hand, becoming your partners in the water supply of London, and with the outside authorities on the other hand?—We were doing our best to come to an agreement with both.

3697. Without allowing the other to know what you were doing with the first party?—Naturally, you do not mention such matters till they have come to a certain point.

3698. I will now return to this memorandum. With regard to the first proposal, it is that a committee of the London county council should be constituted, and that hereafter statutory powers should be conferred upon them for dealing with the water supply of London; is that so?—You had better take the words as they stand.

3699. May I ask, Sir Thomas, before I consent to do that, whose words they are?—I really could not tell you. These memoranda are generally prepared by a variety of people.

3700. Was this arrangement embodied in your memorandum the result of a deliberation between the London county council and the corporation and a series of resolutions, or was it brought up as a whole and then approved at the conference of the London county council and the corporation of London?—Do you mean this memorandum?

3701. I mean that memorandum.—I do not think that memorandum was, to the best of my recollection. It is very difficult to remember the exact steps that were taken, but, to the best of my recollection this, which constitutes the agreement with the City, was down upon paper in writing at the meeting between the representatives of the City and the representatives of the London county council.

3702. I see it bears on the back of it the name of your Parliamentary Agent, Mr. Cripps.—I daresay Mr. Cripps was the chief author of this memorandum.

By the *Committee*).] You mean the actual agreement?

Mr. *Rickards.*

3703. No, the memorandum of agreement between the London county council, which is said to be the same in effect and terms as the agreement with the Corporation of London.—Only it contains a recital of certain circumstances, which I believe is perfectly correct.

Mr. *Freeman.*] Perhaps I may state, in order to save my friend trouble, this document was a document

document which was drawn by the Parliamentary Agent for the county council, and was approved by the responsible members of the London county council, who have to appear before you in this matter, so faithfully representing the facts which had previously taken place.

Mr. *Rickards.*] The facts which had previously taken place between the corporation and the London county council?

Mr. *Freeman.*] Certainly, every fact that is mentioned in it.

Mr. *Rickards.*

3704. This, as my learned friend says, was drawn up by the Parliamentary Agent to represent the result of your conference with the Corporation of London?—Yes.

3705. May I ask by whom it was approved?—It was approved, to the best of my recollection, by the sub-committee, which I have spoken of as the sub-committee, to whom were entrusted the negociations and the management of this business in this Committee-room.

3706. Has it ever been submitted to the county county council as a whole?—No, I think not.

3707. Nor approved?—No, I do not think it has.

3708. Can you give me the numbers present at the committee at which it was approved?—No, I cannot; I do not bear it in my memory.

3709. Were the different paragraphs of this memorandum?——

By the *Committee.*] Are you referring to the agreement or the memorandum?

Witness.] I can explain it. *This* was the agreement. *This* memorandum was drawn up by the Parliamentary Agent and submitted to the Parliamentary sub-committee for the purpose of stating in the shortest possible terms to this Committee the result of what had been done. It never was so submitted, except in the course of my cross-examination, when the actual agreement was given.

3710. Was the agreement submitted to the council?—No, not the terms of the agreement.

Mr. *Rickards.*

3711. First of all let me make good my position. I do not want to waste your time or weary you unnecessarily. I understand that your position is that this memorandum which I hold in my hand, some copies of which have gone before the Committee, faithfully represents the result of the agreement between the corporation and the London county council?—Yes, I believe it does; but the Committee will judge whether it does so, because they have got the agreement itself before them.

3712. I now ask you again, has this memorandum, or has the agreement itself, which is the alternative document, and of course the important document, been ever submitted to the London county council as a whole?—No, because there has been no opportunity of doing so.

3713. By the *Committee.*] Was not the agreement submitted to the county council?—The agreement was not submitted to the county council, because the first opportunity on which it could be submitted was yesterday, and it was only yesterday it came before this Committee. But I read yesterday the resolutions by which the council gave the committee full power to carry on these negociations.

3714. You spoke of yourself as plenipotentary?—Yes.

3715. Was it not stated in the newspapers that the terms of arrangement between yourselves and the Corporation of London, as to the constitution of a water trust, in the proportions which have been mentioned here of one-eighth to the City and seven-eighths to the county council, were submitted to the council?—Probably that has appeared in the papers, because it was in the report of the water committee that was approved by the London county council on the 12th of May.

3716. Then on the 12th of May it was indirectly sanctioned?—Substantially. This is an elaboration of what the council have approved.

3717. It is quite clear that one or both of those memoranda that you have there, have passed before the London county council, with its approval, and therefore you, as plenipotentiary, do not want any further ratification, because it hardly varies from the original memorandum which has been approved?—It is entirely in pursuance of the resolution of the council of the 12th May, and the council by their resolution on the 12th May gave this Committee power to negociate further, and to carry out further details, a thing which is always necessary in dealing with these Parliamentary questions, otherwise you never could get the thing done at all.

Mr. *Rickards.*

3718. I am sorry to bring you back to it again, but on the 12th of May no arrangement had been come to with the Corporation of London?—It was in process of negotiation. Cannot you understand that these things are not done *uno flatu*, that you have a quantity of *pourparlers* between different persons, and this point and that point and the other is suggested, and that you eventually meet and put it down on paper.

3719. Can you give me a memorandum of what was approved by the county council as a whole on the 12th May?—Yes; I gave it to you yesterday. I read you the report of the special committee of water supply and markets, which was dated the 4th of May, and approved by the council, and the report of the Parliamentary committee, dated the 7th of May, which was also approved by the council.

3720. By the *Committee.*] And you stated it was unanimously approved?—Yes, unanimously, without a word of objection. I was in the chair, and not one creature lifted a voice against it, or made a suggestion about it.

Mr. *Rickards.*

3721. Now I will take this agreement itself: has this proposal been approved by the London county council?—This has never been before the London county council, I have told you.

3722. Has it ever been approved by a resolution of the county council?—I have told you it has never been before the county council.

3723. I was going to ask you what had been

Mr. *Richards*—continued.

approved. Has this been approved, "Appoint a water committee as hereinafter defined, viz., seven-eighths to be appointed periodically by and to be members of the London county council and one-eighth fit and proper persons by the corporation to be a statutory committee and a committee of the London county council." Has that proposal ever been approved by the London county council?—Those words have never been before the London county council, but the recommendation of the water committee has been to the effect that "a proposal for placing the control of the London water supply in the hands of a statutory committee of the council, consisting of either 32, 40, or 48 members, on the understanding that are eighth of the members of the committee are to be nominated by the corporation, leading seven-eighths to be appointed by the council. We understand it to be also suggested that matters of administrative detail, and management should be delegated to this committee, but that all important questions should be referred for the consideration and decision of the council. Some further points have been mentioned, but probably the discussion of these and other questions of detail may be safely left to the committees representing the corporation and the council on the water question. We have come to the conclusion that it will be greatly to the public advantage if the corporation and the council join hands in the attempt to give to London the control of its water supply, and we think that the heads indicated above form a satisfactory basis for joint action. We recommend that the council do agree to act in concert with the Corporation of London on the water question on the basis indicated in this report." Then there is a similar resolution upon the report of the Parliamentary committee.

Mr. *Russell Griffith.*] I have on record the proceedings of the county council signed by their clerk, Mr. H. de la Hooke, on the 14th of May, showing what resolutions were passed at the county council on the 12th instant.

Witness.] That is what I have been reading.

Mr. *Russell Griffith.*] It is similar, but not quite the same.

3724. (By the *Committee.*) That gave them full powers?—That gave them full powers. This is the reecommendation of the Parliamentary Committee, which is the executive committee, and this is really important. "We have had an opportunity of seeing and considering the report of the special committee on water supply and markets to be presented to the council on the 12th instant, and desire to express our general concurrence in its terms, and in the recommendation made. The report, however, does not point out the manner in which effect shall be given to the committee's recommendation if adopted by the council, and in order to make this clear we recommend (*a*) that the special sub-committee of the Parliamentary Committee on the Water Bills be instructed to negociate and enter into an agreement with the Corporation of the City of London on the following basis: the placing the control of the London water supply in the hands of a statutory committee of the council of moderate size, on the understanding that one-eighth of the members of the committee are to be nominated by the corporation, leaving seven-eighths to be appointed by the council; the details of the administration to be left to the statutory committee, but all questions of policy, terms of acquisition of the water companies' undertakings, charges to consumers, and finance, to be subject to the control of the council. We further recommend (*b*) that the sub-committee be authorised to submit, through counsel, the result of their negociations to the Select Committee of the House of Commons which is now considering the Water Bills."

3725. And that result has been embodied in this document, which your counsel read?—Yes.

Mr. *Freeman.*] To complete that, "Resolved, that the report be received, and that the recommendations be adopted."

Witness.] Yes.

3725*. Then it comes to this, that you and your colleagues were delegated to negotiate with the City of London on certain bases?—Yes.

3726. The agreement arrived at has never been approved of by the London county council, as a whole?—It has not been before them. It was necessary to bring it before this Committee before it could be brought before the council.

2727. Your proposal is that hereafter the functions of the water committee of the London county council should be defined by statute?—Yes.

3728. What those functions are you do not at present say?—I am not prepared with these details yet.

3729. That is to be left to future consideration and a future Bill?—For future clause or a future Bill.

3730. But you have no Bill at present, have you?—We have a Bill before the House; not in this Committee.

3731. The London County Council Bill, which is to give you further powers to make inquiries into an independent supply?—But in which Bill it would be quite possible, if it were before this Committee, to insert such clauses.

3732. It has not been read the second time, has it?—No; you will know better than I do, but I imagine it would be quite within the power of this Committee to revive the City Bill, and to put such a clause into it.

3733. You mean the London Water Commission Bill?—Yes.

3734. Had you been in the room when the Committee gave their decision upon the point?—No; but I have read it.

3735. Are you sanguine that the Committee will revive the London Water Commission Bill?—I do not pretend to be sanguine about anything.

3736. Now, with regard to No. 2, "That this committee should consist of 48 members (or some other number divisible by eight). Of whom seven-eighths should be nominated by the London county council, and one-eighth by the City of London?—Which are you reading from?

3737. I am reading from your memorandum, which embodies the agreement, or rather the basis

Mr. *Rickards*—continued.

basis of agreement between the Corporation and the London county council (paragraph 2).

By the *Committee.*] Is this the agreement?

Mr. *Rickards.*

3738. This is the London county council version of the agreement which they have said directly represents it. However, I will take it from the agreement itself. I will take it from the notes of yesterday: "That the London county council should contribute seven-eighths of the members to the Water Committee, the remaining eighth should be contributed by the City of London." Now is it not the fact that at the present moment the City of London has special representation upon the London county council?—There are certain members of the City upon the council.

3739. That is four members, is it not?—I think it is four members.

3740. Am I correct in saying that is double the number which it would have if it were not the Corporation of London; I mean to which it would be entitled if it were treated in the same way as the other constituent part of the London county council?—I could not tell you without looking at the Local Government Act.

By the *Committee.*] It is not the corporation which is represented.

Mr. *Rickards.*

3741. The City of London is an electoral division in itself, is it not?—Yes.

3742. Under the Local Government Act?—Yes.

3743. And it returns four members?—Yes.

3744. And under the Local Government Act every other electoral division returns two members?—Yes.

3745. But the City of London forming an electoral area of itself contributes four members already to the London county council?—It contributes four.

3746. Instead of two?—It contributes four at any rate; I would not say "instead of two"; the City is a very large and important district of London.

3747. I wish to speak with every possible respect of the City, but I would ask this: the City of London being specially represented, and doubly represented on the London county council, you propose to give them an additional representation on your statutory committee?—Yes, we do.

3748. I observe under paragraph 3, that "all important questions are to be referred for the consideration and decision of the council"?—Which are you reading from. Will you please read from one or the other.

3749. I prefer the memorandum because I have studied it most carefully. Now, then, the fourth paragraph, "The question of the efficiency of the present sources of supply for the future requirements of London and neighbourhood requires further investigation before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies."

Mr. *Russell Griffith.*] You have again gone back to the memorandum.

By the *Committee.*] I wish you would keep to one or the other.

Mr. *Rickards.*] I want to deal with them both. They embody the views of the London county council.

Chairman.] I am bound to say I think you are taking up the time of the Committee unnecessarily. Please stick to one thing or the other.

Mr. *Rickards.*] It only comes to this, with great respect to you, Sir, that this memorandum must be taken as worthless.

Chairman.] No. You may take the memorandum, if you please, but not go back from one thing to the other. Take whichever you prefer for your own purposes; judge which suits you best and stick to it.

Mr. *Rickards.*

3750. Then I understand, Sir Thomas, that you do not now entertain the proposal to purchase part of the undertakings of the water companies; that is to say, parts of the different undertakings?—I do not know that I expressed any very distinct opinion about how the council or the City are to set to work to purchase.

3751. I want to go a little further; would you mind telling me, if you can; is it your proposal now that if the London county council are constituted a water authority you should purchase part only of any individual undertaking of the water companies?——

Mr. *Freeman.*] Recollect about the outside authorities.

Witness.] I cannot really answer that question.

Mr. *Rickards.*

3752. Then I will not press it. I observe paragraph 5 states: "That the powers of the council in respect of water supply should at first consist of powers for the purposes indicated in the London County Council (Water Supply, &c.) Bill, and should also include powers for the purchase or leasing by agreement of all or any part of any of the existing water undertakings or any water or water rights." May I ask whether part of your scheme is the leasing as well as purchasing the undertakings of the water companies, or parts of the undertakings?—I do not think it is; I have never contemplated the leasing by agreement; I do not know why those words were put in.

3753. Then so far as you are concerned that word "leasing" may be struck out?—The Parliamentary agent would tell you why it is put in. It is possible that some arrangement of that kind might be desirable. I say nothing either for or against it.

3754. Then I will not press further about it. Paragraph 6: "That the functions of the council and of the Committee in the event of the undertaking of any metropolitan water company being purchased should extend to the supply of water throughout the whole district of supply of that company, whether within or without the administrative county of London"?—Those are not the words I have before me; but they are something like them.

3755. These are your words: "That the functions of the council and of the committee should

Mr. *Rickards*—continued.

should extend to the supply of water throughout the whole district of supply (whether within or without the adminstrative county of London) of any metropolttan water company whose undertaking may be purchased." Do you contemplate therefore, on behalf of the London county council, that if you purchase the undertaking of the water company, a part of whose district of supplv lies outside London and part in, that you should supply the part outside as well as the part in?—I think I have explained as fully as possible, in answer to the counsel for the different authorities outside, that we are willing either to supply in bulk or to make any arrangement with them that would be possible for enabling them to carry on their own supply.

3756. May I ask you then this question upon that. In the first instance do you intend to acquire the whole of the undertaking of each company, whether it is within or without the metropolis?—What arrangements may be made for the joint purchase by local authorities and the council I cannot say. I should think the companies would be very unwilling to sell a bit of their undertaking.

3757. There I am entirely with you; but you cannot tell me whether the London county council intend to supply the part outside London as well as the part in?—I have explained very often the position of the council with regard to this. If they buy up the companies, they come under an obligation to the persons whom the companies at present supply. That obligation they are willing to meet in any way which is consistent with their preserving a requisite supply for London, and the water authority outside paying its fair share of the expense.

3758. Would you kindly tell me whether, in your opinion, that would involve buying up the whole of an undertaking partly inside and partly outside London?—I have already said I think the probability is that the company would sell as a whole, and the council would wish to buy as a whole, but I cannot say for certain.

3759. May I ask you this question upon that; suppose the London county council bought as a whole all these eight undertakings?—I did not say that. I said the undertaking of each company as a whole.

3760. I will come to that point later on; supposing the London county council bought as a whole all these eight undertakings, they would then, I suppose, find out how much they could part with without interfering with the rest, and they might subsequently sell to the local authorities what they did not want?—It is not what they do not want, but what the local authorities wish to have.

Mr. *Rickards*—continued.

3761. Now paragraph 7: "In the event of the undertaking of any metropolitan water company being purchased, any local authority outside the London county boundary, and within the area of supply of such company, should have the option either (1) of purchasing on suitable terms so much of the works of distribution as is appropriated to the district of such local authority, with the right to a supply of water in bulk from the London council on terms to be arranged." Now, would you give that power of purchase to a local authority irrespective of whether the London county council found that particular portion of its works necessary for the supply of London?—I think I have already said that the London county council could not possibly pledge themselves to part with any part of the undertakings, the parting with which would cripple their supply to London.

3762. Then I suppose you have not considered the engineering question as to the difficulties either of the partition of the undertakings or supply in bulk, and I need not ask you about those questions?—I think you had better reserve those questions for the engineer.

3763. The last paragraph I will trouble you with is the alternative of the local authority "having water supplied direct by the London county council." Have you considered the question as to how far the outside authority, supplied in bulk, should have a right to participate in profits realised by the London county council inside London?—In each of those cases it would be a question of terms.

3764. No doubt?—And I take it if the London county council supplied a district, they would require from the inhabitants of that district water rents or water rates sufficient to reimburse for the expense of supplying that district.

3765. We are now upon the subject of supplying in bulk, not water rates?—I thought you had got to "(2.) of having water supplied direct by the London county council."

3766. Yes, I had. Then that is a matter, if I may say so, in abeyance as to how far the local authority outside should be allowed to participate in profits?—If the council supplied direct to the consumers of the outside district I do not see exactly what the local authority would have to do with it.

3767. Then you would be in this position, at any rate, that the London county council would be levying water rates outside its own area, in the district of a local authority outside?—That would be so if they preferred that mode. It would be only if they preferred it.

Thursday, 4th June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. Murdoch.
Sir Matthew White Ridley.
Sir Henry Roscoe.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Russel Griffiths.*] I HAVE here, Sir, the original document, the agreement between the City and the county council. The alterations are in Mr. Charles Harrison's handwriting, the chairman of the Parliamentary committee. (*The document was handed in.*)

Chairman.] I understand Sir Thomas Farrer is coming at two o'clock.

Mr. *Freeman.*] No, Sir; we have made an arrangement that Sir Thomas Farrer should come the first thing to-morrow. His engagement will occupy him rather an uncertain time.

Chairman.] The Committee does not sit to-morrow.

Mr. *Freeman.*] Then Sir Thomas Farrer will attend the first day the Committee does sit.

Chairman.] We have fixed Tuesday, Wednesday, and Thursday at present. I hope we shall be able to get through without sitting a fourth day.

Mr. *Freeman.*] Then he will come the first thing on Tuesday, Sir?

Chairman.] We should like to have some talk soon about the number of witnesses, and see what work there is in that way before the Committee, because the Session is getting on.

Mr. *Freeman.*] I can tell the Committee that we propose immediately now to call Mr. Cripps. He is the Parliamentary adviser; not in the ordinary sense the agent, but Parliamentary adviser as well as agent, of the county council. He will give you an account of a great deal of the matters referred to in general by Sir Thomas Farrer, and then he will give the details. We shall next propose to give you the engineering evidence on behalf of the council.

Chairman] On a rough estimate, what time do you think, you and the water companies (we do not want to pledge you) you will be likely to take; perhaps you cannot say.

Mr. *Freeman*] It is almost impossible for the promoters or for the county council to say. It depends on my learned friends. If the water companies pursue the same course as they did yesterday, which was commendably short, I should think about four days would exhaust the case of the county council, three to four days.

Chairman.] And the water companies themselves?

Mr. *Bidder.*] I think I should point out this. I do not know what Mr. Binnie, the engineer, is going to say, but as he is going to give engineering evidence, and will necessarily give engineering evidence as regards each company in particular, we cannot of course combine our cross-examination of him as we did of Sir Thomas Farrer, who spoke to general principles; he may, therefore, take some time longer than Sir Thomas Farrer.

Chairman.] We will see as we go on. In the meantime I do not think the Committee can sit to-morrow. We have taken further engagements for to-morrow. The next meeting of the Committee will be Tuesday.

Mr. H. L. CRIPPS, sworn; and Examined.

Mr. *Freeman.*

3768. YOU are responsible for the professional conduct of the Parliamentary business of the Loodon county council, are you not?—Yes.

3769. I believe previously to the present year, for very many years before, you acted with the solicitor to the Metropolitan Board, while the Metropolitan Board existed, and afterwards with the solicitor of the counsel, advising on Parliamentary matters?—Yes, I did.

3770. And now under a resolution of the council you act alone, and the whole responsibility for the Bills of the London county council rest upon you?—That is so at present.

Mr. *Freeman*—continued.

3571. You are, therefore, thoroughly acquainted with all the resolutions, and all the proceedings of the council relating to the opposition on this and the other Bills which are before this Committee?—Yes, I am.

3772. And if any matter requires supplementing in relation to these resolutions and proceedings, in addition to the evidence of Sir Thomas Farrer, you will be prepared to produce the resolutions, and give the details?—If the Committee, or opponents, desire any further information, I may say that I think the whole story of the resolutions of the council is very

Mr. *Freeman*—continued.

fully stated in Sir Thomas Farrer's evidence. I do not propose, therefore, to trouble the Committee with anything further on that point unless they desire it.

3773. Quite so. I believe you have also had a very large experience as Parliamentary agent, arting in matters of water supply in relation to the large corporations?—Speaking generally, either I or members of my firm, have been engaged on one side or the other in a very large number of these cases for a great many years.

3774. Just to take a few of the largest ones, Manchester?—In the case of Manchester, I was responsible for the principal opposition to the original great Thirlmere scheme, which resulted in its being thrown out; and responsible, a good deal, for the clauses and the oppositions which led to the Act passing in the form which it ultimately assumed; so that I am familiar with all the facts of that case; and, in regard to a large number of other towns, which I need not particularise, I have had a great deal of experience.

3775. Bristol, Huddersfield, Leicester, Bolton, Cardiff, and a great many others?—Yes, a good many.

3776. You have had from the beginning to carefully consider and to report to the county council upon these Bills which are before the Committee now?—Yes. In the first instance, of course, the Bills introduced as private Bills were submitted to the county council in December last and had to be considered, and this last Bill was introduced in February.

3777. One of the first steps which you took to enable you to advise the council upon this matter was, in relation to the history of the water question in those large towns, mainly with reference to the question of trust against a corporation or commission?—Yes. The first question, of course, which we had to consider for the council was, the respective advantages of what we have described here, I think, as the municipal system of waterworks supply, and the trust or commission system, the one being what we may describe as the system adopted at Manchester, Glasgow, and a great many of the other provincial towns; the other being a system proposed to be adopted by the Bill now pending before this Committee.

3778. And did you obtain from the town clerks of the principal cities detailed information which you will supply to the Committee showing how in each of those towns the water question is dealt with?—Yes. At first it was rather strongly suggested as a reason in support of this Vestries' Bill that the area outside the county of London supplied by the water companies was so large relatively to London that the municipal system could not conveniently be applied in London. I do not want to trouble the Committee, of course, with more detail than they desire, but I have here some of the actual particulars as regards the principal provincial towns, which show that practically the same difficulties and problems which exist here have existed in them and have been solved by the application of the municipal system. For instance, just as an illustration, I may explain to the Committee that I have have here the case of Manchester——

3779. I see you have taken 13 of the large

Mr. *Freeman*—continued.

towns. You have applied for and obtained similar information in relation to each, and, to take as the most important Manchester, just say what it comprises?—The information here consists of the area of supply by the corporation divided into the area which is within the municipal limits and the area which is outside the municipal limits; the population within the municipal limits, and the population within the area of supply outside the municipal limits. Then there is some general information upon the system adopted as between the central municipal authority owning the waterworks, and the area outside the municipal boundary in which the water is supplied. If you take the case of Manchester, you will see from this table that the total area of supply is about 54,000 acres, and that there are 12,790 acres within the municipal limits, and 41,886 acres outside the municipal limits; so that you will see that in the case of Manchester and in some of these other cases too, the proportion which exists between the outside area dealt with in the municipal scheme, and the area within the municipal limits is not less than it is in the case of London, As regards the population at Manchester, the population of course in the outside area is much more sparse than that in the inside; that the population within the municipal limits is 485,000, and the population within the outside area of supply is 242,000. Then in Manchester the same conditions existed which apply here: there are a considerable number of various sanitary authorities.

Chairman.] Of course this is the last census the census of 1881.

Witness.] This is based on the last available figures, Sir.

Mr. *Lawson.*] That is the census of 1881.

Witness.] That is the census of 1881.

Sir *Henry Roscoe.*] Not made up to the present date.

Witness.] No, Sir, the results of the present census are not contained in this.

3780. But there is an estimate always possible. Are these the actual numbers of the census of 1881?—Of course these tables I have not myself personally prepared, but this particular one has been corrected for me by Mr. Berry, who is the waterworks manager of the corporation of Manchester.

3781. It is important to know whether these are the the figures of 1881, or whether they are figures that are brought up to date; that is to say, according to the rate of increase of the population?—I believe them to be the corrected figures or I assume them to be corrected.

Mr. *Pope.*] If you will look at the heading, you will see it says "estimated population"; therefore there must be something in addition to the actual figures of 1881.

Mr. *Freeman.*] I am informed, Sir, by a gentleman who comes from Manchester, that these are the figures of the present time; it is corrected.

Witness.]

Witness.] Of course in all these cases we should be prepared if the Committee desired it, to produce evidence from the towns themselves.

Chairman.] I think that will not be necessary.

Mr. *Pope.*] We do not dispute the facts as to area, or anything of that kind of course.

Witness.] Outside, the sanitary authorities which are supplied by the Corporation of Manchester are the Salford Corporation, the local boards of Moss Side ——

Mr. *Bristowe.*] I do not think we need all this ; I do not think you need give the details.

Witness.] I need not read them all.

3782. It is virtually like London, as you say? —It is virtually like London ; there are in the case of Manchester, some 13 or 14 different local authorities. Then as regards the system of supply the corporation in some cases supply those sanitary authorities in bulk ; in others where it is more convenient, they supply in detail to the consumer. Then the table contains also, for purposes of reference, which may be possibly a piece of information which may be useful at some time, a statement of the amount of the water rent, or rate, charged, and the capital cost of the waterworks, also made up to date, giving again the capital cost per head of the population, which the waterworks have involved, and the consumption of water in gallons per head per day.

Mr. *Freeman.*

3783. You have obtained similar information as regards Glasgow, Bradford, Sheffield, Leeds, Oldham, Huddersfield, Cardiff, Bolton, Halifax, Blackburn, Northampton, and Birmingham?— Yes, the details of all those cases are set out in this table. Of course they none of them are as large as London ; this is quite obvious ; but the general principles involved are the same in these cases as in London. The difficulties which exist in London have been found there, and have been satisfactorily solved by the adoption of what I describe as the municipal system.

3784. Without taking you through each of these instances, are they all drawn upon the same lines as the one you have explained in detail (of Manchester) to the Committee?—Yes, that is so.

Mr. *Lawson.*

3785. Might we know whether, in cases where the water is delivered either in bulk or in detail, they follow the system (which I see is done at Bradford) (referring to the eighth division of this Return), delivered either at the boundaries of the corporation or the local beard, as the choose? —They differ, Sir, in various cases ; that is a matter perhaps which the engineer of the council will be better able to explain to the Committee than I can, but what has taken place generally has been that the water, where the outside districts have desired it, has been supplied to them in bulk through a meter, and paid for at a price fixed, either by agreement or by arbitration. There are some cases where there are perhaps two or three local authorities outside the municipal area, the one behind the other, so to speak. In those cases a main has been laid through the three districts, each tapping the main in turn, and availing itself of a supply by meter for the purposes of distribution amongst its own consumers.

Mr. *Lawson*—continued.

Sir *Henry Roscoe.*

3786. Do these tables show whether the supply is intermittent or continuous in the various towns?—No, Sir, I do not think they do.

3787. Would it not be important to know that?—No doubt it is an important branch of the inquiry.

3788. Could you obtain for us any information as to that point, or have you it in your possession?—I do not think I have it in my possession.

Mr. *Pope.*] In all these cases as to whether the continuous supply is, as a matter of fact, given, it is given in some of the cases, but to my own knowledge not in all. I think there could be no difficulty in ascertaining, and giving the Committee a list of those in which continuous supply is given as a matter of fact, and those in which it is not given.

Mr. *Freeman.*] No. I believe, Sir, that when I call the engineer of the county council, he will be able to give you the information.

Mr. *Pope.*] Oh, yes; there can be no doubt about that.

Sir *Henry Roscoe.*] Then we may take it that you will obtain the information for us.

Mr. *Pope.*] I have no doubt either we or Mr. Binnie can give it.

Witness.] We will endeavour to obtain it for you, Sir, by the London county council.

Mr. *Freeman.*] It certainly shall be obtained. (To the *Witness.*) Those facts have been verified by the authorities of the different towns, and, in your opinion, do they show that the municipal system can be advantageously applied in the case of London?—It seems to me the only difference is the difference in the amount of population. Of course, London is a much larger place than any other place ; but, with that exception, the problems which present themselves for solution are identical.

3790. Having seen the advantages of the municipal system, have you also considered what would be the result of applying a system of commission instead of the municipal system?—Of course, one had to inquire into that also, and it happened——

Mr. *Pope.*

3791. Will you explain what you mean by "commission ;" a separate water authority, or a separate board?—I will just explain to you a case of a water commission.

3792. Take Edinburgh?—Well I should describe the Edinburgh case as a case of a trust. I think the principle is practically the same. The question is whether a whole group of districts should be placed together and supplied by a joint board, or joint commission, or joint trust, or whatever you call it, representative of the whole ; or whether the central municipal authority should become responsible generally for the supply, owning the whole system and dealing out the water to the sanitary authorities in the neighbourhood

Mr. *Pope*—continued.

neighbourhood, either in bulk or direct to the consumer, subject of course to the conditions under which the sanitary authorities have had the opportunity to re-purchase from the owning authority the distributive works within their own areas. I think that generally describes the difference between the two systems, which is perhaps sufficiently obvious.

Mr. *Freeman.*

3793. I believe you know of your own experience an instance in the case of Belfast, where there is a commission?—I have acted for the Belfast Corporation nearly 20 years, and I am very familiar with all the Parliamentary circumstances; and it happens that the Belfast Water Commission is, I think, the only instance in the United Kingdom which is at all analogous or directly analogous to what is proposed here by the Vestries Bill; and my own practical knowledge of the circumstances there lead me certainly to be able to suggest that it is not a very convienent system of water supply, or one which should be adopted if any other is available.

Mr. *Rickards.*] It may be convenient, Sir, to refer to that table I handed you in, or that printed memorandum I handed you in, of the result of the inquiries we have made, because the particulars of Belfast, the Belfast Water Commission and the results, are set out in that table. I do not know whether you remember the memorandum.

Chairman.] I am just looking for it.

Mr. *Rickards.*] I will give you a copy of it, Sir.

Mr. *Freeman.*] It is rather inconvenient to interrupt in the middle of my witness.

Mr. *Rickards.*] It is only to clear it up.

Mr. *Freeman.*

3794. It does not clear it up; it only confuses it. (To the *Witness*) You were just stating of your own knowledge what happens in Belfast?—Sometimes the two bodies work very comfortably together, at other times there is a good deal of friction, but whenever I have had to conduct a Bill in Parliament for the corporation of Belfast for any purpose, it has been invariably opposed by the Belfast Water Commission on some ground; that their pipes would be interfered with, or something of that kind; and exactly the contrary thing has happened whenever the Belfast Water Commission has found it necessary to apply additional powers; the corporation has necessarily, in the general interests of its own constituents, the ratepayers, had to look after the interests of the ratepayers, and practically, I think, no application to Parliament by either body has been made which has not resulted in an opposition by the other body. Then questions, as I am aware, arise about interference with streets and all sorts of different things, which lead to constant friction is only avoided by a great deal of concession on the part of both bodies; friction about all sorts of different local matters, so that it is a very distinct instance of a case where the unnecessary existence of two local bodies leads to a good deal of practical inconvenience.

Mr. *Freeman*—continued.

3795. In your personal knowledge, is that the nearest analogy to what is proposed under this Bill?—I think that is the most analogous case in the whole of the United Kingdom, so far as I know. Of course I do not pretend to be an expert in all these matters, but judging from such knowledge as I have gained in my own Parliamentary business of the circumstances of all the principal towns, I think that Belfast is the only analagous case to what is here proposed.

3796. In your opinion, cases of trust, such as the Edinburgh case and the Staleybridge case, are not analagous?—They are to a certain extent, because although the new body is not constituted in exactly the same way, in some of them at all events, as in Belfast, on as they would be proposed to be constituted here, yet they are separate local bodies, and there are practical illustrations there, even in those cases, of the inconvenience. If you take the case of Edinburgh, which is, of course, perfectly well known to most members of the Bar here, at all events. Edinburgh is a case where the water supply is managed by a trust; I think the history of the case shows that, owing to the very peculiar circumstances in which it was formed, probably there was no other solution available, but the result has led certainly to local difficulty. For instance, it was only a year or two ago that the Edinburgh trust promoted a Bill in Parliament, the water supply being known to be insufficient, for what was called the Saint Mary Loch scheme; it was proposed to bring water to Edinburgh from the Saint Mary Loch. That Bill was opposed, by a considerable minority at all events, in the Edinburgh town council, just as might happen here if this great trust proposed some scheme of water supply, it might be opposed by a considerable minority at all events of the London county council. The result of the Edinburgh scheme was that the Bill promoted by the trust for this new scheme was actually opposed, not by the corporation of Edinburgh, because the opponents could not get a majority of the corporation itself, but opposed by a minority of the corporation and a considerable body of the inhabitants; and in the result the Bill was rejected. Therefore you have there an illustration of what seems to me to be the very practical inconvenienoe arising from the existence of two bodies. If the corporation of Edinburgh had been itself responsible, of course, as an elected body it would have been bound to act upon the representations of the electors, and the electors would have had a remedy in their own hands. There are other cases of the same kind also. Within my own knowledge there is the case of the great Trust of Lancashire and Cheshire, Staleybridge, Ashton-under-Lyne, Dukinfield, and other local boards. I act myself professionally for that joint body, and although I am not aware of any difficuly of the same kind arising there that arose at Edinburgh, yet if it had been possible either of those corporations would have been much better off if they had the control of their own water system. There it happened that all the towns were supplied from just the same source one after the other. I do not know how any other scheme could very well have been devised there.

3797. As the result of your experience, applying

Mr. *Freeman*--continued.

ing that to this Bill, do you think the same inconvenience would arise in London?—I think so; I see no advantage which is likely to result from the institution of this new local body in London. I think it would be full of local and practical inconvenience.

3798. That was the first matter you had to investigate in relation to this Bill, and you then, I believe, made, as far as you could, an exhaustive examination of the various Reports of Commissions which had sat on this water question?—Yes; and on that I would only venture to sugges that before the London county council could by any possibility, or before and responsible authority representing London could by any possibility come to a sound conclusion as to what ought to be done in this matter, all those Reports, some of which were referred to by Sir Thomas Farrer (and others) especially, and the evidence given upon them, would require the most careful consideration and investigation.

3799. I believe, so far as you were able you did make considerable extracts from them, which could have been considered by members of the council, but you have not had time to thoroughly investigate this part of the case?—I have compiled for the information of the members of the council references to a large number of those matters; they would be far too long to read to this Committee, or even to suggest; but I might perhaps just refer to the reports which have not been mentioned yet, which seem to me to require investigation.

3800. If you will just refer to them so as to get them on the Notes, that will show what steps you have taken?—The most especial is the 6th Report of the Rivers Pollution Commission, 1874, which is one which is not mentioned by Sir Thomas Farrer.

Chairman.] It has been incidentally mentioned I think; we had some extract read from it yesterday, but I think it was in cross-examination.

Witness.] I did not propose to inflict upon the Committee the reading of any extracts from those reports, because I am aware they are before the Committee; but this particular report is not mentioned in Sir Thomas Farrer's evidence. It may have been mentioned yesterday, I have not had an opportunity of reading Sir Thomas Farrer's evidence fully, but the day before it was not expressly mentioned, and it is a most important report, because it sums up the whole of the considerations of the former Commissions and Committees appointed to inquire into the question of the river Thames; it summarises all the former reports. There is an extremely important Report of the Government Commission as to the chemical quality of the supply of water to the metropolis of 1851. That is by Mr. Graham and Mr. Miller and Dr. Hoffman. Of course Dr. Hoffman's position is such as to make any report of his on these matters of great value; and there is a great deal in that report which anybody advising the county council upon any policy in regard to water must most carefully consider and deal with. There is another very important Report of 1851 upon the Metropolis Water Supply Bills which I think has not been referred to. Then of course the Royal Commission of 1866 gives a very authoritative report, which is very long, and this Sixth Report of the Royal Commissioners in 1874 is, as I have said before, a very long document; but it is full of the most valuable information, and full of statistics, which could not by any possibility be disregarded by those who were responsible in advising the London authorities on those matters, or by any authority deciding what should be done about the water question. They are all matters which, under the reference to the London county council, the London county council are investigating as fast as they can; but of course it takes a very long time even to analyse and abstract, and get these matters in form for the consideratian of the county council.

Mr. *Freeman.*

3801. And I may take it that in the time which has been at your disposal you have by no means been able to bring exhaustively all the materials before the council?—Certainly not. The county council and their Parliamentary committee and their advisers have a great deal of business to attend to throughout the Session; and although I hope as much has been done as possible, yet the information is not at present even in a condition to be satisfactorily laid before the county council for consideration; and I am quite certain that as regards the promoters of this present Bill it is quite impossible that it can have received anything like the consideration which it demands at the hands of any responsible advisers on the water supply of London.

3802. May I take it that the result of your investigation of this part of the subject leads you to the conclusion that more complete investigation is essential if a really sound scheme is to be brought forward?—I feel quite confident in my own mind that, having, having regard to the date at which these powers were given to the London county council, and having regard simply to the actual information which, as inheritors of the Metropolitan Board of Works, the London county council possesses on this subject, they have not had anything like enough time to consider or deal with such questions as, for instance, whether the Thames is a source of supply which should be adhered to discarded in the interests of the London of the future.

3803. At the present time the council are considerably crippled, are they not, by not having powers of compulsory investigation?—That is so. They have, of course, no power to compel any evidence to be given to them. They a power to investigate, but it is a limited power; and, of course, they have been doing what they can under that power.

3804. Do you consider, from your knowledge as their Parliamentary adviser, that it would be desirable, if possible, that powers should be, as speedily as could be given to them to thoroughly investigate this subject?—It would remove, of course, the great difficulty in the way of this question being adequately dealt with by the responsible government of London if the London county council had adequate powers to submit to Parliament for consideration some scheme dealing with the London water question. Of course no scheme (at least, I can hardly conceive that any scheme) could by any possibility be suggested

Mr. *Freeman*—continued.

which would not require the close consideration of Parliament in all its details; but at the present moment it is doubtful at all events whether the London county council are even in a position to bring before Parliament any scheme whatever for dealing with the London water question.

3805. And as Sir Thomas Farrer told the Committee yesterday the council are quite prepared, as soon as they have the powers, to take up this important questions?—Of course; that appears upon the reports which have been adopted, and which Sir Thomas Farrer explained to the Committee.

Mr. *Lawson.*] What powers? The power to introduce a Bill to deal with the question.

Witness.] At the present moment, Sir, the power of the London county council to introduce a Bill on the subject of water is in rather a peculiar position. Possibly it might be desirable that I should endeavour to explain it to the Committee. The London county council, as the successors of the Metropolitan Board of Works, have powers under Section 144 of the Metropolis Management Act of 1855 to introduce Bills for the purposes therein defined, those purposes including (I have not the words before me, but I do not know that it is very material) the introduction of Bills for works for the improvement of the metropolis, or for the public benefit of the inhabitants thereof. It was assumed that those powers authorised the introduction of a Bill to deal with the water question; and in 1878 the Metropolitan Board of Works did introduce two Bills under those powers to deal with the water question; but all their accounts were subject to audit; and representations were made to the auditor, and when the auditor examined the accounts of the Metropolitan Board of Works he surcharged them all the expenses of this application to Parliament in 1878. The Metropolitan Board of Works were then advised that they had done right; that they had the powers to introduce Bills of that kind, and that they should resist that surcharge; but instead of doing that they adopted what was at the time, with the assistance of the Government of the day, the more convenient procedure; they introduced a Bill into Parliament to ask that they might be indemnified in respect to this expenditure, and on that Bill being submitted to the House of Commons it was opposed by the water companies, and the water companies succeeded in getting a recital introduced into the preamble of the Indemnity Act to the effect that the Metropolitan Board of Works having acted *bonâ fide* but *ultra vires*; I have the Act here, and perhaps I may just as well give the exact words: The Act recites that," Whereas the said Bill were promoted and the said expenses were incurred by the Metropolitan Board of Works in good faith and in the belief that in promoting the said Bills they were acting within their legal powers, and it is therefore expedient that, notwithstanding such disallowment as aforesaid provision should be made as in this Act contained for enabling the Metropolitan Board of Works to defray such expenses." That recital having been introduced into the Act has led since to more doubt than existed before as to whether Bills for water works were within the meaning of Section 144 of the Metropolitan Management Act.

Mr. *Pope.*] The Court of Queen's Bench decided that the action of the Metropolitan Board of Works was *ultra vires;* and therefore the introduction of that Bill, to give them absolution for what they had *bonâ fide* done under the belief that it was right. There is no doubt about the question, because the Queen's Bench decided it.

Mr. *Freeman.*] Just so.

Witness.] At all events, I would venture to suggest that there is still in the minds of a good many very considerable doubt upon the question.

Mr. *Pope.*] That could only be settled by Parliament you know.

Witness.] And it would have to be settled by legal proceedings, which never have been taken; but it certainly is very desirable that if the London county council are supposed to be responsible for offering to Parliament any suggestion upon the water question, the London county council should be placed in a position in which they can do that without being full of doubt as to whether or not the individual members of the council who give the instructions may be made to pay the expenses of it.

Mr. *Freeman.*

3806. Does that complete the answer which you desired to give to the honourable Member?—I think I have just explained the legal position of the London county council in regard to the question of introducing a Bill upon this subject.

3807. Now I will pass to another matter. You also, not of course from an engineering point of view, but as advising upon this Bill, had to consider the question of a supplemental or alternative supply?—Of course one had to look pretty carefully into this subject in order to be able to make any sort of suggestion to the council on the subject.

3808. And in relation to that matter did you prosecute inquiries as to what companies and what sources of water existed in the immediate vicinity of London itself?—In connection with the Bill as originally submitted to this Committee, of course the proposal was to purchase two suburban water companies for the purpose of supplementing the deficiency which even the promoters of that Bill admitted to exist in the water supply; but it might be convenient to point out to the Committee that one of the branches of the investigation which the London county council will have to undertake before they can arrive at any satisfactory conclusion is the position of the other suburban water companies which surround the metropolitan water area, because there is no doubt that a large number of them, or several of them at all events, would be just as willing to sell their undertakings at a reasonable price as the Rickmansworth and Leatherhead Companies would, and moreover a good many of them, I believe, say that they have surplus supplies of water which, at all events temporarily, would be available for the supply of London. Supposing, for instance, it were found that a new supply were necessary, and that it took many years to introduce it, at all events during

Mr. *Freeman*—continued.

during that period the requirements of London might to some extent be met from those suburban companies, and all those matters require careful consideration before the council come to any conclusion. For instance, just to take the area round London, at the east side of the New River Company's area as shown upon that map (*pointing to the same*), there is the Herts and Essex Water Company. Down below them, and just to the northward of the Thames, on the east side of the East London district, is the South Essex Water Company. The South Essex Water Company actually supplies within a considerable part of that area, I think, marked green, which is within the area of supply of the East London Company. At all events the exact area is not material, but they do supply the district on the north of the Thames, and on the east of the East London Company's district, including part of the East London Company. As they are now actually supplying a portion of the East London area it is obvious that they have water which is available for London, and it is said, I believe, that they have more water. Then if you go down south of the Thames, immediately to the eastward of the Kent district, you come to the Gravesend Company. There again is an additional source of supply. Southward of the Kent district there is the Sevenoaks Company; again adjoining them, and southward of the Kent district, the Limpsfield and Oxted Company. Adjoining them again, passing to the westward, there is the large area of the East Surrey Company, who at all events have reservoirs at a very considerable elevation (I believe higher than any of the existing London companies, and any of the other companies round London) of what is supposed to be good water drawn from the chalk; and that is a source of supply which would have to be carefully investigated. Next to that comes the Sutton and District Water Company, and next to that the Epsom local board are supplying. Then we come to the companies belonging to the promoters of this Bill, of which Leatherhead is one. Beyond this the West Surrey, passing northward and to the westward of the area supplied by the Grand Junction Company, there are the south-west suburban companies, intervening between London and the Rickmansworth Company, of which the Committee have heard. Northward, again, supplying Harrow and that neighbourhood, is the Colne Valley Company. Their source of supply is known to be one which requires very careful consideration. Following the area round further, we have the Barnet Company, occupying that piece of ground which is left uncoloured on the plan before us, between Hendon and Hornsey. Then, actually in what is called the metropolitan area itself, there are some sources of supply which do not belong to the companies, but which again require careful investigation. The Tottenham local board have wells at Tottenham, and are sinking new wells, from which a considerable supply is derived. Of course, I merely refer to those as showing the extent of the considerations which want careful investigation before any definite policy can be proposed by the London county council.

3809. Now you have been referring to these districts round the metropolis, it might be a convenient opportunity to come to the question of the adjoining districts; you have been in communication, have you not, with the various authorities who are at present served in part, not wholly, by some of the existing London water companies?—Of course you will understand, and the Committee will understand, that the London county council are at the present moment in no exactly authoritative position in regard to this question. One could hardly assume, of course, that this Committee would confer upon the London county council any powers which they do not now possess, and the position is doubtful. Therefore, the London county council, as a council, have not been in a position to make any formal communications to the representatives of the outside areas upon the subject. But, of course, before being in a position to advise at all upon this matter, it was necessary that I should satisfy myself whether there was any probability of the outside local authorities round London accepting such a proposal as the London county council proposed to make, or whether they were likely to be adverse to it. Therefore, I, myself, in an unofficial manner, with the representatives of some of the local authorities, in an equally unofficial manner, have had a certain amount of conversation upon this subject.

3810. You have considered it only right from the very beginning to consult the other parties who would be interested in the passing of some such measure as the county council would desire?—That is so; of course it is obvious that the problems here are very complicated, and the only possible chance, it seems to us, of effecting any satisfactory solution of the thing is by concessions of various kinds to arrive at some system which, at all events shall have the general assent of the large number of local authorities concerned. The difficulty always has been that the local authorities of London and around London have been so disjointed and independent, that whatever one has proposed has been opposed by all the others, and any satisfactory general scheme has never been at all possible; therefore I thought it was proper to do what one could in an unofficial way to see how far the outside authorities might be disposed to agree to a proposition of this kind.

3811. Of course you in no way represent to this Committee that there is anything like a formal and definite agreement which has been come to with those authorities?—Oh, dear, no. The circumstances of each case differ so very materially, and the considerations involved are so large that at the present moment there is nothing like any agreement, nor indeed could there be; the county council are not in a position even to suggest any agreement. Perhaps I might explain it to the Committee from *that* map.

3812. Perhaps I might ask you before you do that one question: did you find that almost all the authorities of the surrounding districts were adverse to the suggestions of the present Bill of the vestries?—As far as I can see they all are, and I think for this very obvious reason: that each district upon a great trust of this kind would be practically a nonentity. The whole thing would be controlled by a majority of the trust,

Mr. *Freeman*—continued.

and any particular district might be entirely sacrificed. In a great area of this kind it is quite impossible to give anyone of the districts such a representation as would enable it to have the least practical voice even in the administration of its own affairs. Of course, as I say, the proceeding before this Committee gives one a very convenient opportunity of meeting the professional advisers of the various districts, and of seeing how far the interests can be reconciled; but except in that way I have not felt authorised, and not been authorised, to make any general communications to all these local authorities; and of some of their views I know nothing at all.

3813. So far as you have able to see up to the present time, do you think that if the council was in a position to deal with the water question, and had time, a basis of arrangement could be formed with those surrounding bodies?—I should say subject to this: there are, of course, one or two questions of principle in which it is possible, and indeed likely, that there might be great divergence of opinion between the outside districts, or some of them, and the county of London. Those questions of principle, although in themselves leading to great divergence of opinion, I do not think would be any obstacle to a settlement, because they are questions that must be decided, according to the views of the members of the council who have considered this matter, and according to my own views they are questions that must be decided by Parliament; and I think the London county council and the representatives of the outside districts, would be willing to submit those questions of divergence in a defined form to Parliament for consideration; and I think, subject to the settlement of some of those particular considerations by Parliament, a scheme might be devised if time were allowed, by the London county council, which they would be able to submit to Parliament, which would have at least the substantial acquiescence of the various districts around London.

3814. I do not know whether you would wish to give any detailed information as regards any of the surrounding districts, or whether you prefer to leave it to you general answer?—I think, perhaps, it might be as well that I should just generally indicate the position, if the Committee think fit, as regards those places.

Chairman.] Supplemental to what Sir Thomas Farrer was able to tell us; do not repeat that.

Mr. *Freeman.*] Mr Cripps will not repeat what Sir Thomas Farrer said; he has carefully perused what Sir Thomas said yesterday.

Witness.] In my various communications with the authorities I commenced about the Kent district, and I found the advisers of the Kent local authorities certainly very anxious to facilitate this question, and they seemed most disposed to do what they could to come to a satisfactory arrangement. I think they have already through their counsel indicated generally what their view would be. The local authorities are: Dartford; Dartford rural; then there is Bromley and Beckenham——

Mr. *Pope.*

3815. Bromley rural?—Bromley rural, I think comes a long way down, round *here* (*pointing to the cartoon.*) They are all, I think I may say, working pretty much together, and their general view is that if London should leave them the wells and distributing works outside, they would be quite satisfied to come under an arrangement by which London, if it bought the Kent Company, should transfer to them the works there. Then there are two or three questions that must be submitted to Parliament as we think first of all For instance, is London to be allowed to take the water from the Kent area, and to supply it elsewhere? of course that depends upon what the quantity of water in the Kent area is on both sides, and on the future requirements of the population in the suburban area whether the populations are likely to increase, what is the amount of water available, and again whether there is water available for the supply of this neighbourhood from other sources in the neighbourhood. Those are questions which require very careful consideration, and I imagine will never be settled without a reference to Parliament; but subject to the decision of one or two questions of that kind by Parliament, I think the whole question as between London and this part of Kent (on the assumption of course that the Kent water undertakings were purchased) might be all settled. Then coming round *here*; Beckenham I have already dealt with to some extent; Croydon is in a peculiar position; the boundary of the borough of Croydon runs up to and joins the London county boundary, and what Croydon desires is to supply the whole of its municipal area with water. The only difference which we have with Croydon is, that Croydon instead of supporting our suggestion that more time is required for consideration, wants to go on at once, so that it may get *that* portion of the Lambeth area. That is a very obvious point of divergence, because it is a very small matter to Croydon, what they pay for this portion of the Lambeth area so long as they get the right to supply it themselves. Then following round *here*, these districts of Surrey, of course, they present not so much difficulty, because at all events they are close to the sources of supply. Then following round all *this* part you get to Richmond; I think the position of Richmond is already before the Committee. I am speaking of course about these things, subject to what the engineer may say, but I understand there would be no engineering difficulty whatever about such a separation, or such a severance rather of the pipes, as to enable these outside districts to take over their own supply. Then as regards *these* Middlesex authorities extending from the River Thames northwards to Hornsey and Tottenham, speaking generally of them, I imagine they are rather influenced by the views of the Middlesex county council. The chairman of the Middlesex county council also takes great interest in local affairs up there; and I think whatever he recommended that district to do the district would probably adopt. There, again, I think that the only real question is whether Middlesex should have an opportunity of expressing its own views before Parliament,

Mr. *Pope*—continued.

Parliament, if necessary, upon such a question as water; and if so, to what extent, they, in the event of purchase, might have the complete control of some of the sources of supply in the Middlesex area.

Mr. *Freeman.*] Might I ask if you will allow my friend Mr. Pember to take the examination of Mr. Cripps for the rest of it, Sir; I have been summoned to another room? May my friend Mr. Pember take up the examination?

Chairman.] Yes.

Witness.] The case of Tottenham is rather a peculiar case. I do not know that the Committee will want me to go into too much detail, but the Tottenham local board is supplying now from its own wells, a considerable portion of its own area; there are other little bits of the Tottenham area which are supplied in part by the New River and in part by the East London Company. Tottenham would be very conveniently situate for a friendly arrangement with London in that matter. Just at the present moment we have agreed for London to take over the Tottenham sewage, and the sewage of that part, so that there are very intimate relations between that portion, which is after all practically part of London, and the London authorities; and it is very likely that the Tottenham local board might have some surplus water from its wells, and might, and would be, glad to take over the supply of that portion of the New River and East London districts which lie within its boundaries. Then following again round London we come to the East London district, and that presents some circumstances of difficulty. The most important factor in this consideration is the position of West Ham, which the Committee know is a separate county borough, and a very populous area, at present dependent upon the East London Company; but I think I may safely say that they join us in opposing strongly such a transfer of the London waterworks to a commission or trust such as that proposed by this Bill. Some suggestion was made by them that they might prefer to remain under the East London company. That is a solution which is obviously a practicable one. It might be that it would suit London to leave the East London district entirely alone; or it might be that that portion of the East London area which is within the county of London might be supplied from another source, and the residue left to West Ham; there are various possible solutions. And again, further to the east, within the area of the East London Water Company come two or three local boards and rural sanitary authorities, who are contemplating, at least, when I say "who are contemplating," I think their advisers have had under consideration, and possibly they have themselves, the question of combining for water supply. In one way or another, that could certainly be dealt with; but there are special considerations in all those cases, all of which require very close consideration.

Mr. *F. W. Pember.*

3816. What you have told the Committee sufficiently indicates the position of the council, that time is required, and that if we have time there is every probability of our being able eventually to come to some arrangement with the outside authorities?—Yes, I think that would be certainly so.

Mr. *F. W. Pember*—continued.

3817. Then we pass to the position of the vestries and district boards of London. Sir Thomas Farrer gave some information to the Committee as to communications which have been held between the advisers of the county council and the vestries and district boards; and it was said then that you would further explain these communications and the results of them?—Of course I have a certain amount of information with regard to the position of the vestries and district boards. I was anxious, in accordance with the instructions from the council to really get, as far as we could, at the bottom of this scheme, which was put forward as the scheme of the metropolitan vestries, because, although, one knows the recent creation of the London county council has made their position, relatively to some of the vestries, a little (in some respects) strained, yet the county council scarcely expected that the vestries as a whole, or even a majority of the vestries, were in favour of such a proposition as is contained in this Bill, or at all events would be in favour of it if they had really considered the matter; so I was desired to communicate with the different vestries and the district boards of London, with a view to ascertaining exactly what their views would be upon such a question as whether the London county council should take over, or should be made in any greater degree than at present responsible, in referene to the London water supply, and as regards the different districts. Dealing with them in order, Battersea have given us no reply to our communications, except that the matter is under consideration, Bermondsey have done the same, Bethnal Green (I am taking them in alphabetical order), say: "The vestry approve of the main provisions of the Bill, which provides that the water companies' undertakings shall be transferred to a central representative authority, whether the London county council or not."

Mr. *Lawson.*] That is in Bethnel Green you say?

Witness.] That is Bethal Green; that is the third. Without any very close consideration of the precise details of the measure they express their opinion as being favourable to a Bill providing that the water companies' undertakings should be transferred, either to the county council, or to any other representative authority which Parliament may think fit to create. Then as regards Camberwell, they say: "I have to acknowledge the receipt of your circular letter of the 15th instant, which shall be laid before the vestry at its meeting on the 10th June next. I may add that the vestry at its last meeting regatived a proposal to give a further grant of 100 *l.* in support of the above Bill." Then I come to Chelsea. Chelsea expresses an opinion somewat adverse to the London county council. They say: "The vestry have contributed largely to the cost of promoting the Metropolis Water Supply Bill and are informed that the promoters have only been too anxious to secure the advice and assistance of the London county council and

were therefore willing to agree to considerable modifications of the Bill. That if reference be made to Clauses 54 and 55 of the Bill the council will see that they can become the water authority for the county of London if so disposed, and the vestry suggest for the consideration of the council that it would be far preferable for them to adopt these provisions and become themselves the governing body." Therefore, when you come to read between the lines it seems that the Vestry of Chelsea are also in favour of the principle of the council taking over authority with regard to the water. Then there is this further observation in the letter: "That if, as the vestry understand, the London county council has based its expectation of the approval of the corporation on a concession of a disproportionate representation to that body or the Water Commission, the vestry protest strongly against the proposal as one grossly unfair to the poorer population of the metropolis, and a violation of the principle on which the London county council was itself elected." Therefore, subject apparently to some details as to whether the extent of the representation of the City or this Committee is proportionate or not, I take it that, notwithstanding the tone of that letter, the vestry of Chelsea are, at all events, not opponents to the proposals of the London county council.

Mr. *Lawson.*

3818. At the present time the City, I believe, has twice its numerical representation, has it not, on the London county council?—Do you mean as regards the proposal on this Committee?

3819. No; as a matter of fact, in its representation?—Yes.

3820. By an arrangement come to in 1888?—Yes. Upon that point the vestries are apt, I think, rather to forget that they are not exactly in the same position as the City of London, the City of London being expressly maintained by the Local Government Act as a county of itself, whereas the whole of the other metropolitan area would become the county of London.

3821. Not as a county borough, but as a quarter sessions borough?——

Mr. *Russell Griffiths.*] Perhaps the honourable Member will allow me to interpose here?

Witness.] Mr. Russell Griffiths is very familiar with this.

Mr. *Russell Griffiths.*] The City of London has double its Parliamentary representation on the council. Another Parliamentary district of London have double their representation. The City is in no better position than any other Parliamentary borough in the metropolis. It has double its Parliamentary representation, as was agreed on in the Local Government Act of 1888 for all the metropolis.

Witness.] I doubt whether any of the vestries have given adequate consideration to the real position which the City of London have taken up in regard to the water question on behalf of the inhabitants of London generally, particularly during the assumed incapacity of the Metropolitan Board of Works. That seems to be the real objection put forward by the vestry of Chelsea, and I think if they really considered the whole position of the matter, and the proper position of the City, they would perhaps cease to consider that such an arrangement as we suggest is "grossly unfair to the poorer population of the metropolis."

Mr. *F. W. Pember.*

3822. In fact, the City is much more than a unit of representation?—Yes. Clerkenwell there is no answer from, except that the matter is under consideration. From Fulham there is no answer. Greenwich: "Resolved: That this board strongly disapproves of the provisions of the Metropolis Water Supply Bill, as they involve principles of a novel and complicated character, leading to the establishment of an entirely new and non-representative body, and tending to create confusion of jurisdiction and extravagant finance, and considers that the clauses relating to the acquisition of the property of the water companies upon terms to be settled by an arbitration board constituted as therein proposed are most unsatisfactory and unfavourable to the consumers, and this board is of opinion that no legislation will be satisfactory to the ratepayers which does not place the supply of water to the metropolis under the control of a directly representative municipal body." It might perhaps be convenient that I should give at the same time the population of these different districts: Battersea, 125,912; Bermondsey, 86,652; Bethnal Green, 126,961; Camberwell, 186,593; Chelsea, 88,121; Clerkenwell, 67,076; Fulham, 42,900; Greenwich, 131,233. I give that, because it shows that Greenwich represents a very large population, and has expressed a very strong opinion.

Mr. *Bristowe.*

3823. Is that the census of 1881 all through, or is it estimated?—These are from the last corrected return, as estimated for the London county council matters. Hackney, with a population of 186,462, has returned no answer. Perhaps I might interpose there for a moment to observe that I think several of these boards have adopted a very intelligible view, that is, that the whole matter is under the consideration of this present Committee of Parliament, and that it is unnecessary for them to go into the details, or to express an opinion upon a matter which is under the consideration of the Committee.

Mr. *Pope.*

3824. Do you know that to be the reason why you have no answer?—No, I do not know it to be the reason in all cases, but I think it is in some.

3825. That is your suggestion?—Yes; the next alphabetically is Hammersmith, with a population of 71,939. Their resolution on that subject is as follows: "That in the opinion of this vestry the supply of water to the administrative county of London, and to any area at present supplied by a metropolitan water company should be in the hands of one central authority."

Mr. *F. W. Pember.*

3826. Which is that?—That is Hammersmith, with a population of 71,939. Hampstead, with a population

Mr. *F. W. Pember*—continued.

population of 45,452, sent this: "That the London county council be informed. in reply to their letter on the subject of the London water Bills now before Parliament, that the vestry approve of the council applying to Parliament for powers to introduce Bills dealing with the water question, and would prefer that the council should be entrusted with the carrying out of the provisions of any bills which shall be passed, and that such provisions should include the purchase of the existing untakings, and the improvement of the water supply." Then I come to Holborn, with a population of 35,258. The Holborn district board are of a rather different view. They say: "That this board approves the principle of the Metropolis Water Supply Bill, and sees no reason why the same should not (subject to some amendments on points of detail) become law this Session. This board is also of opinion that as the Bill referred to provides alternative schemes for a new water trust or for the London county council to be the constituted authority, it should be left to Parliament to decide as to which authority should be the one to carry the Act into execution; and further, that in view of the observations of Mr. W. H. Smith on the second reading of the Bill, and the remarks of the President of the Local Government Board, 'That this measure really constitutes the basis of the subject which has to be considered by the Select Committee,' this board expresses its strong disapproval of the attitude of the London county council in regard to the measure. That a copy of the foregoing resolution be sent to the President of the Local Government Board, to the London county council, and to each vestry and district board of the metropolis." I should observe there that this board apparently have not exactly appreciated the attitude of the London county council, as explained already to to this Committee, on the subject.

Mr. *Bolton.*

3827. Which is that one?—That is Holborn, Sir, the population of which is 35,258. Practically it comes to this,—that they refer to the Water Trust and to the London county council, and think it should be left to Parliament to decide which authority should be the one to carry the Act into execution. Then I come to Islington, with certainly a large population, — 282,865. They say: "Referring to your circular letter" (that is headed Metropolis Water Supply Bill) "I beg to inform you that the vestry has resolved to present a petition to Parliament in favour of the principle of the above Bill." In that case and in one or two others, what is described as "a petition to Parliament in favour of the principle of the above Bill," does not by any means imply a support, or disclose any consideration of the details of the Metropolis Water Supply Bill. It is really an expression of opinion in favour of the principle that the water supply ought to be in the hands of a public authority. I do not know whether that is one of the vestries which Mr. Rickards claims as one of his supporters, but it does not seem to me that it goes very far in supporting his particular Bill. Kensington, with a population of 163,151, say: "Adverting to

Mr. *Bolton*—continued.

your communication of the 24th ultimo, asking to be informed of the views entertained by the vestry with the Metropolis Water Supply Bill, I am directed to acquaint you that this vestry, at their last meeting, resolved to present a petition under seal in favour of the same." I am sorry to find I have not a copy of that petition before me, because I am not sure whether I am right in the observation I am about to make; but I have read more than one petition "in favour of this Bill," which on examination, appears to be exactly a petition against it, because it is in favour of the principal of transfer to a local authority, but against all the details contained in this Bill.

Mr. *Pope.*] I declare I do not care to interpose, because I am not specially interested in this part of the matter. If you choose to receive the letters addressed by the clerks to various district authorities to Mr. Cripps as evidence of opinion, well and good; but the letters must speak for themselves; Mr. Cripps must not be put before the Committee, as the opinion of those local authorities, his paraphrase of the letter addressed by the clerk to him. I do not know whether we are carrying the case any further in this way.

Witness.] Perhaps the more correct plan will be for me to obtain a copy of the petition, if the Committee think it desirable, and put it in so that it shall be before them.

Mr. *Pope.*] I only want to save time, if possible. I do not care for the disclosures, because they do not affect anything I am interested in.

Chairman.] I think in view of the light of the evidence we have had in favour of the vestries Bill, it is desirable that Mr. Cripps should give the Committee the gist of the letters, whatever they are.

Mr. *Pope.*] I think so.

Mr. *F. W. Pember.*] I do not think Mr. Cripps is "paraphrasing" them.

Witness.] Lambeth I have no reply from.

Chairman.

3828. What is the population?—The population of Lambeth is 253,699. Lewisham, with a population of 53,065, sent this resolution: "That in the opinion of this board any Bill in Parliament, or to be introduced into Parliament dealwith the supply of water to the metropolis will not be considered satisfactory which does not confer on a popular representative authority power to construct and maintain a separate and independent supply of water without being compelled to purchase the present water undertakings whether drawn from the same sources of supply or otherwise." Limehouse I have received no answer from.

Mr. *Lawson.*

3829. What is the population?—The population of Limehouse is 58,543. From Mile End Old Town, with a population of 105,613, I have no answer. Newington has a population of 107,850. The letter from the vestry clerk of Newington does not contain any resolution of the vestry, but it says: "I am also directed to state with reference to the request that the council may be informed

Mr. *Lawson*—continued.

of the views of the vestry with regard to the Metropolis Water Supply Bill, that this vestry, almost unanimously in favour of the Bill, and are doing all in their power to get the same passed into law. It may be useful to the council to know that the vestry have not only taken a very active part in the preparation of the Bill prior to its introduction into Parliament, but have made a liberal contribution towards the expenses thereof." Then I wrote a subsequent letter to the vestry clerk of Newington, and I received this letter from him: "I submitted your letter of the 15th inst. upon this question to the vestry at their last meetiug, when they referred the same with others received on the same subject to their works and sanitary committee to consider and report upon. The committee met on Monday evening last, but owing to other pressing matters before them did not arrive at any decision on the several points raised in your letter. As soon, however, as they have reported their deliberation to the vestry, and a decision has been arrived at, I will communicate the result to you." I have not heard further, but Newington clearly contains members who are strongly in favour of the Metropolis Water Supply Bill. Whether the Newington vestry have themselves come, or will come, to any definite resolution upon the matter I do not know.

Mr. *Lyttelton.*

3830. "Almost unanimous" is the phrase in the letter, is it not?—That is a letter from the vestry clerk.

3831. But it is purporting to express the views of the vestry?—I wrote, by the direction of the Parliamentary Committee to the vestry clerk pointing out that it would be satisfactory to the council to have some more definite information as to the views of the vestry of Newington upon the matter, because there was no evidence that the principles involved in the Metropolis Water Supply Bill had been laid before and considered by the vestry as a whole. It would be satisfactory, at all events, to the council to be in a position to report the views of the vestry of Newington, and at the present moment we have not got them. Then as regards Paddington, with a population of 107,218, they say: "That in the opinion of this vestry the water supply of the metropolis and adjoining districts should be under the control of a public authority; but that this authority ought to be a directly representative body, elected for the purpose, and that it would not be satisfactory to make the London county council the authority." I think that is the first indication of a resolution by one of the London vestries clearly indicative of a support of the policy that a new local representative body should be entrusted with the discharge of water functions, and that it would be unsatisfactory to make the London county council the authority. That, I think, is the first direct indication which has reached the London county council of a policy of that sort advocated by a vestry. Then I come to Plumstead, with a population of 63,663. The clerk writes: "I have been instructed by this board to state that having considered the various London Water Bills now before Parliament, this board without expressing any opinion as to the other Bills, is of

Mr. *Lyttelton*—continued.

opinion that it is desirable that a Bill should be passed as mentioned in the report of your Parliamenty committee of 12th February 1891, giving power to the council, to introduce into Parliament Bills dealing with the water question." Poplar, with a population of 156,510, no reply; Rotherhithe, with a population of 36,024, no reply; St. George-in-the-East, with a population of 47,157, no reply. Then I come to St. George, Hanover-square, wiih a population of 89,573. They sent this letter: "Sir,—I read yours of the 24th ult., inclosing copies of the report of the Parliamentary committee of the council on the various water Bills before Parliament this Session for distribution amongst members of the vestry, to the vestry at their last meeting. The vestry have taken action on the undermentioned Bills as follows, viz.; Metropolis Water Supply Bill, petitioned against." I need not go into the others. St. George-the-Martyr, Southwark, with a population of 58,652, no reply. St. Giles' district board, with a population of 45,382, say: "The board are not in a position to offer any opinion upon the question raised by you, and they think that the tribunal to whom the Bill has been referred is much more competent, assisted as it is with the very best professional opinions, to deal with the subject." St. James's, Westminster, with a population of 29,941 (that is a small vestry), say: "In reply, I am to state that, having carefully considered the several Bills, the vestry are unable to agree with the views of the council's committee thereon, especially as regards the Metropolis Water Supply Bill. On the contrary, the vestry are of opinion that this Bill affords a satisfactory basis for the settlement of the water question, and have passed a resolution as follows"——

Chairman.

3832. What is the date of that?—The 4th April.

3832*. In reply to what was that?—I wrote on the 24th March.

Mr. *Lawson.*

3833. It was a circular letter, I suppose, was it not?—Yes, it was. The vestry of St. James's, Westminster, of course, have rather directly committed themselves to this Bill. Mr. Wilkins, their vestry clerk, is also the honorary secretary, I think, to the promoters. Mr. Wilkins' vestry "cordially approves the principle of the Metropolis Water Supply Bill, and trusts that the same may become law this Session, with such amendments in points of detail as Parliament may see fit to make therein." That is the second vestry which, so far as the London county council know, distinctly approved the principles of this Bill.

Sir *Algernon Borthwick.*] I think you are putting rather a strong gloss upon that. I have taken them all down, and I have put down nine already which I read as distinctly approving of the Bill. You assume a great deal when you say they disapprove. On the contrary. Bethnal Green, Hammersmith, Holborn, Islington, Kensington, Lewisham, Newington, Paddington, and St. James's, Westminster, I have got as approving. The only ones directly against the Bill are

Greenwich

Greenwich, Hampstead, and St. George's, Hanover-square. The rest are neutral, or do not choose to answer the county council.

Mr. *Bolton.*] A good many of them subscribe for the promotion of the Bill in order to put it before the Committee properly.

Sir *Algernon Borthwick.*] I mean it is a monstrous thing to tell the Committee there are only three in favour of the Bill, when I have these; I can go through the list again.

Mr. *Murdoch.*] I must say one cannot form that inference from the letters that have been read by Mr. Cripps. On the contrary, I should should say that a good many of the letters read by him would convey a totally different impression to that which Mr. Cripps puts upon them.

Mr. *Lyttleton.*] I was going to ask that the letters should all go in. I suppose Mr. Cripps's view of their interpretation would be received entirely for what it is worth, without any disrespect to him.

Witness.] I had only intended to suggest that there were two of the letters which expressed an opinion distinctly opposed to the policy which had been suggested by the county council.

Mr. *Murdoch.*] We must take that as your opinion only, Mr. Cripps, not as the opinion that any one would derive from the letters.

Chairman.] It would be better to let the witness go on. We shall have all the letters, and they will speak for themselves. Take the next case, Mr. Cripps.

Witness.] Of course, Sir, I propose that the letters should all be placed upon the Notes, and learned counsel will see exactly what they are, and the Committee will form their own opinions upon them.

Mr. *Lawson.*] I do not think it is worth while trying to interpret them.

Chairman.] No.

Witness.] There are one or two cases where the letters simply refer to petitions which have been presented in favour of the Metropolis Water Supply Bill, and I think it would be desirable, Sir, in order to explain really what the vestries mean, that these petitions should be handed in with the letters.

Chairman.] Yes, we will have the petitions.

Witness.] St. Luke's, Middlesex, with a population of 46,849, I have no answer from, except an acknowledgment. St. Martin-in-the-Fields, with a population of 17,508; "I have been instructed to state that at present the vestry are not in a position to express any opinion upon the above Bill." St. Marylebone, with a population of 154,910 no reply. St. Olive district board of works, with a population of 11,956, no reply. St. Pancras, with a population of 236,258 say: "That the vestry do second their opinion that the London Water Commission Bill and the Metropolitan Water Supply Bill are unsatisfactory on the ground that the water supply of London ought, subject to proper restrictions to be under the control of the London county council, also that the council is the authority whom Parliament ought to empower to deal with such supply, and that the council ought to accept the responsibility of preparing and promoting in Parliament any Bill dealing with the question. That the vestry have petitions prepared against the London Water Commission Bill and the Metropolitan Water Supply Bill, that the seal of the vestry be affixed thereto, and that such petitions be presented to Parliament, and further that authority be given to employ counsel, if the Committee think it necessary to support the vestry's opposition thereto." St. Saviour, with a population of 28,662, say: "That while declining to express any opinion as to the relative merits of the various Bills at present before Parliament for the regulation of the water supply of the metropolis, this board consider it of primary importance for the health of its inhabitants that the water supply of London should be copious in quantity, pure in quality, and reasonable in price, and that it is the duty of the London county council to provide the same." Shoreditch, with a population of 126,591, no reply. Strand, with a population of 32,587 (this is a report from a committee adopted by the Strand district board): "Your committee are of opinion that no action should be taken to acquire the property of the various companies until further information has been obtained as to the present value of the undertakings, the adequacy of the present sources of supply, and the possibility of obtaining water from an independent source." Wandsworth, with a population of 103,172, say: "Referring to your letter of the 24th ultimo, I am directed by this board to inform you that they thoroughly approve of the principle of this Bill. I enclose prints of a petition which the board have presented to Parliament with regard to the Bill which further explains their views on the subject."

Mr. *Lyttelton.*

3834. What is the date of that letter? — That is the 23rd of April. On that they did send me the petition which they presented; and I think that, as the letter states, "that they thoroughly approve the principles of this Bill," and enclose prints of the petitions, it is desirable that the petition should go on the Notes. I will just refer the Committee to some of the paragraphs. After referring to the fact that it is proposed to constitute a trust, they say: "Clause 54 of the Bill would empower the London county council" (this is paragraph 6) "to carry the Act into execution by becoming the water trust if the said council shall so resolve between the 1st of November and the 31st of December next." (Paragraph 7.) "Your petitioners are of opinion that the supply of water to the metropolis should be taken out of the hands of the water companies and placed under the control of a public authority, and they therefore approve of the principle of the Bill. (8.) Your petitioners, however, are of opinion that the board of arbitration proposed by the Bill would not be satisfactory either to the water companies on the one hand, or to the ratepayers and water consumers on the other. Whilst fully recognising the high qualities which the members of a board so constituted would undoubtedly possess, your petitioners submit that it would be strictly professional, and they think that it should contain representatives of the parties chiefly interested. They suggest that the board of arbitration should

Mr. *Lyttelton*—continued.

be constituted as follows, viz.: The President of the Local Government Board, or his nominee; the Governor of the Bank of England, or his nominee; one person appointed by the Conservators of the River Thames; three persons appointed by the water companies; three persons appointed by the vestries and district boards and rural sanitary authorities. In the opinion of your petitioners, such a board of arbitration would not only be thoroughly competent to discharge the important duties which would devolve upon them, but would also command the confidence of all parties. (9.) Your petitioners further submit that an instruction should be given to the board of arbitration that in the event of the purchase of the water companies' undertakings, the valuation be based upon the value of the property to be purchased, and not upon the value of the capital, stock, or shares of the companies. (10.) Your petitioners also object to the scheme provided in the Bill for the establishment of the proposed water trust."

Mr. *Bristowe.*

3835. That does not sound very much in favour of the Bill.—That is the reason why I thought it was important not exactly to take some of the descriptions of these views of the vestries which the vestry clerks are good enough to forward, but to look and see exactly what it is the vestries themselves have put their seals to. "Your petitioners also object to the scheme provided in the Bill for the establishment of the proposed water trust. The increasing number of elections is becoming a serious evil by throwing addition burdens upon the ratepayers, and causing great loss of time, and interruption to business. In the opinion of your petitioners a special election for the establishment of a water trust is quite unnecessary and would not produce a satisfactory trust. Existing representative bodies would be more likely than the general body of electors to select properly qualified persons as members of such a trust, and many suitable persons would decline to become candidates owing to the great cost of a contested election in large constituencies, each being twice as large as the constituencies returning Members to Parliament."

Mr. *Lawson.*

3836. That is a petition in favour of the Bill?—That is the petition which, as they put it, "thoroughly approved of the principle of the Bill." Perhaps, lest it should be said that I am putting any undue importance upon any of these statements, the petition had better go on the Notes. I have not read the whole of the petition, and it is true that they say in a subseqnent paragraph that: "Your petitioners are of opinion that such council has already sufficient work on its hands in carrying out the very extensive duties with which it has so recently been entrusted by Parliament, without adding thereto the difficult and responsible functions of a water authority for such an enormous population as that of London and the surrounding districts." So, far as it goes, I venture to suggest that all that that district says adverse to the proposition which has been made

Mr. *Lawson*—continued.

by the London county council is, that to supply the whole of the area of London and outside is too big a task for the London county council. That is exactly what Sir Thomas Farrer has laid before this Committee. Then I come to Westminster (I am getting near the end of the alphabet) with a population of 60,175.

Mr. *Rickards.*] Before you leave that last petition, perhaps you would read the last paragraph.

Chairman.] No; let the witness give his evidence in his own way, and you can call attention to it afterwards. He has distinctly said it is to go on the Notes, so that any other part may be referred to.

Witness.] Westminster merely reply that the matter has been referred to their Parliamentary committee for consideration and report, and we have had no further reply. Whitechapel, with a population of 71,314, I have no reply from. (*The letters* (M), *and four petitions* (N, O, P, Q,) *were handed in.* Vide *Appendix*).

Mr. *F. W. Pember.*

3837. I suppose the general result, so far as you have had replies from the various vestries and district boards with whom you have communicated would show that there is in no sense any unanimity of opinion in favour of the so-called vestries' and district boards Bills, and in fact that it is misleading to describe it as a Bill promoted by the vestries and district boards, in opposition to a Bill promoted by the central authority of London?—The impression I have myself derived from that correspondence (it may be an erroneous one) is that where the whole scheme of this Bill has been closely and carefully considered by a vestry they have resolved against it; of course I can quite understand that there may be one or two bodies, or even more, amongst such a large number of bodies, who may entertain quite an opposite opinion; one certainly would not expect to find anything like unanimity; I have had a very long experience of these matters of London government, and I have never been able to find anything approaching unanimity amongst all the 40 local bodies which have authority throughout London upon any general subject; but putting my own interpretation upon that correspondence, I think it does not justify the notion that this, what has been called a vestries' Bill, has anything like a substantially large support amongst the vestries and district boards in London generally.

3838. I think we may pass from that subject. I think my friend Mr. Freeman took you sufficiently into the question of the selection of supplemental supply; so I will come now to deal with the position of the London companies. Of course it has been assumed, on more than one occasion, that they must be treated as if they were in exactly the same position?—Yes, I think that that has perhaps led to a little confusion, and I think that before the matter is concluded the London county council would have to consider very closely the very different position in which several of these companies stand. There are certain great peculiarities, no doubt, applicable

Mr. *F. W. Pember*—continued.

applicable to all of them, but each one of them certainly has very considerable peculiarities.

3839. It is undesirable, of course, to refer to Mr. Smith, but I believe the line he took in 1880 was to treat them as if they were exactly in the same position?—Mr. Smith was rather placed in this difficulty: that he had to buy the lot all at once, or to agree to buy the lot; he had to deal with the whole thing as if it were one; and the opportunity was not given him on the instructions which he received, as far as I recollect the facts of the case, really to investigate the details and the different circumstances of the various companies.

3840. Let us take the companies in detail, and first, perhaps, it will be most convenient to come to the Kent Company? — Kent, of course, differs very much from several of the other companies; it has an actual right to take, from certain land which it has bought, and by means of wells which it has constructed, water from the chalk, water which is generally admitted to be, if not better than the other waters, at all events a very valuable water; and it is in possession of an undertaking, which is in many respects similar to the undertakings of various provincial water companies which have been purchased by their local authorities.

Mr. *Pope.*] I do not know whether, Sir, you think it desirable that Mr. Cripps should give the history and peculiarities of each of the companies. As far as I represent any of the companies, I should be quite prepared to concede that the London county council know very little about it; and that it is desirable if they desire to place a scheme before Parliament, that they should learn something more.

Mr. *Moulton.*] If that is your submission to the Committee, I think it is better that he should give the evidence.

Mr. *Pope.*] I think not.

Mr. *Rickards.*] And I agree that the circumstances differ.

Witness.] There are a few matters, of course, which the London county council have had to consider and will have to consider, and which, I think, have not yet been mentioned, particularly in reference to what we know, or what is on record, as to the different positions of the various companies.

Chairman.] I think it will be better to take it generally, Mr. Cripps. I understand you to say that the companies stand in very different positions; you may illustrate that, but not go *seriatim* into the companies.

Witness.] Take the Kent Company. In 1878, when all this matter was inquired into by the Metropolitan Board of Works, with the view to considering the propriety of a supplemental supply from the chalk, the actual level of the water in the chalk areas was ascertained by measurements which are recorded, and we have had an opportunity this year of checking these actual measurements with the measurements at present. Those throw one very important piece of light upon the position of the Kent Company, because where we have measurements upon certain lines of water through the chalk in 1878 round London, and where we have checked them again we find that substantially they have just the variation which you would expect in consequence of the great or comparative drought of recent times as compared with 1878, and even in the Kent district we find that on a similar section, where the line of water is influenced by the pumping of the Kent Company, there is a very much greater fall in the level of the water in the chalk than in other districts. Of course, that is rather a matter for engineering evidence, but I allude to that as being a special fact in regard to the Kent case, which shows that the position of that particular company requires a good deal of very careful consideration. Then, proceeding again round the other side, this same important consideration I think presents itself, and should be presented to the Committee. The Committee will observe that the next company, *there* is the Lambeth Company, having an area coloured pink, and the Southwark and Vauxhall Company, which comes on next, has an area coloured blue. It is obvious from the map that there is a small portion of the Lambeth district, or a comparatively small portion of the Lambeth district, inside the boundary of the county of London, but the great area of the supply of Lambeth is outside the county. Taking again the South wark and Vauxhall, it will be seen that the larger part of the area of supply of the Southwark and Vauxhall is in the county of London, and there is only a comparatively small piece outside. That points to this obvious conclusion, that it would be inexpedient to compel the water authority for London to buy both those companies; I mean to compel the authority responsible for London to buy both those companies. It is quite a possible consideration that the two areas might be so altered as to enable the purchase of one of those companies to be sufficient for London, and the other company might either be left alone to supply a readjusted area, and only a small readjustment would be necessary, or the other company might be purchased direct by the representatives of the area it would supply. And if there is anything like the doubt about the companies which has been suggested, I would venture to suggest that it would be undesirable to compel London to buy two of them when one would answer all the purpose.

Mr. *Bristowe.*

3841. The water all comes from the same place, does it not?—The water comes from the same source, except that the Southwark Company have the well, which this Committee heard of before, which may or may not be satisfactory. A similar consideration applies if you proceed round on the Middlesex side of the map. You will see there is a very large area of the Grand Junction Company outside.

Sir *Henry Roscoe.*

3842. What colour is it?—It is that dark grey colour which represents the Grand Junction. Here, again, there is only a small portion of that inside London, whereas there is a considerable part of West Middlesex outside, and it is quite possible it might prove, on further consideration, desirable to readjust those boundaries, so that London should only have to buy one of those companies

Sir *Henry Roscoe*—continued.

companies instead of two. Those are points which in themselves, of course, tell directly against the proposal of this Vestries' Bill to place upon London the obligation of bringing all these concerns.

Mr. *F. W. Pember.*

3843. With regard to the Thames supply generally, there have been a series of reports and authority going to this: that the Thames supply should be abandoned as soon as was possible?—There are reports both ways; but the last Report which has really gone into the whole of this question, the last authoritative Report, is the 6th Report of the Rivers Pollution Commission of 1874, and it is impossible to use stronger words of condemnation, I think, of the Thames as an ultimate source of supply to be relied upon for London, than that Commission uses; it is full of the most serious observations upon the position of the Thames.

Mr. *Pope.*] The Committee have it all before them.

Witness.] I do not think they have had any details; I have already referred to them before, but I gathered from Mr. Pember's question that he was asking me something about the position of the Thames water companies, to which should refer as showing that if the purchase of one of those companies, or two of them, could be shown to be enough for London, it would be undesirable on the part of London, that it should be saddled with the obligation to purchase two or more. I allude to it as showing what I think the council will consider the important matter of dealing individually with the particular petitions of each of these companies. Again, you must bear in mind Mr. Pope, that the Thames companies differs very much from the Kent, because Parliament has actually asserted, as regards the Thames companies, its right to stop their taking a supply from the Thames, when it was desirable that that should be done.

3144. I am far from saying anything to the contrary?—There never has been an assertion of that kind in regard to the Kent Company.

Mr. *F. W. Pember.*] Do you think it probable that Parliament would be likely upon any application by water companies to sanction their abstracting any further quantities of water from the Thames?—That would be for Parliament to decide, but speaking from my own practical knowledge of what has taken place, I think the Committee have already had it in evidence that one great attempt made by a water company upon the River Thames met with the most summary rejection. At the conference we had it most strongly stated on behalf of Middlesex by a great authority that any further proposal to take water from the Thames would be most strongly resisted, and there is this very important consideration, which in looking at the thing from a London point of view, one has to consider that the Thames has become during the last few years so much more the recreation ground for London than it ever was before, and it is not only now that we, or that anybody who applied for powers to take further water from the Thames would have to face the opposition of the riparian interests and the towns; but I think that if any further application were made for power to take water from the Thames now the probabilities are that it might meet with considerable opposition not only from *without* London, but from *within.*

Chairman.] I do not think this Committee is in the least likely to give power for taking any more water from the Thames.

Mr. *Rickards.*] And none is asked for.

Chairman.] And it is not asked for. At all events I do not think it is necessary on that point to have any further evidence.

Mr. *F. W. Pember.*

3845. I believe in this Bill there is a provision making the purchase of all the Thames companies compulsory?—That is so; the scheme of the present Bill is to place upon the water authority for London the absolute obligation to purchase all these eight companies. I was only alluding to the possible consideration about Southwark and Vauxhall, and the Lambeth on the one hand, and the Grand Junction andthe West Middlesex on the other, as indicating a reason why it was undesirable to make the purchase of all these companies obligatory upon the water authority for London.

Mr. *Bristowe.*] I do not think they propose to go as far as that in this present Bill, to make it obligatory to buy the whole of the companies.

Mr. *F. W. Pember.*] I think I said the whole of the Thames companies.

Mr. *Bristowe.*] The whole of the eight companies?

Mr. *F. W. Pember.*] The Thames companies.

Witness.] I have read the Bill as imposing an absolute obligation to purchase all the companies.

Mr. *Bristowe.*] What we were told by Mr. Wilkins was that if he bought one, he might not want to buy any more; it depended upon the price he could get them for.

Mr. *F. W. Pember.*] I think he subsequently abandoned that.

Witness.] I think it is really a question of what is contained in the Bill.

Mr. *Bristowe.*] Perhaps it is; I was thinking more of the evidence.

Chairman.] There is no doubt the Bill does contain that.

Mr. *Rickards.*] With a power to sell what they do not want.

Chairman.] Certainly.

Mr. *F. W. Pember.*

3846. I think we may now leave the Thames and go to the Lee. Of course to a certain extent the two companies who draw their supplies from the Lee, the New River, and the East London Water Companies fall under the same category?—The circumstances of those two companies are very similar, but they differ both from those of the Kent company ou the one hand, and the Thames companies on the other hand. The Thames companies have simply the concession of distributing within their area of supply a certain limited number of gallons per day, which they have been permitted, without any payment, to take out of the River Thames. When that limit is reached their powers end; there is no such limitation

Mr. *F. W. Pember*—continued.

limitation as regards the New River or the East London, except in so far as the East London has a power to draw its 10,000,000 gallons from the Thames.

3847. I think there is something I ought to correct there; you said that they take this without payment; that of course does not apply to the extravagant amount which they take under the agreement made by the conservators, under the Act of 1868, as to the validity of which there was considerable question?—I think that was explained by Sir Thomas Farrer as a sort of concession to the Thames Conservancy. The Thames Conservancy had said nothing against the appropriation of further quantities of water by these Thames companies; the Thames Companies by a contribution towards the general expenses of the Thames Conservancy have secured the quiescence of the Thames Conservancy in a certain re-distribution of the amount of water which each company is severally limited to, but that is not a payment of course by way of a purchase of land or a construction of works like that which the Kent Company have made for instance. I mean except in so far as the Thames companies have contributed something to the Thames conservancy, they have paid nothing for the water rights; they have simply been allowed by London to use part of the water of the River Thames, which I suppose belongs to London as much as to anybody.

3848. Now to come to the East London and the New River, of course the same question arises there. How far, if at all, they can be allowed to increase the amount of water they draw from their areas of supply, and how long they will be allowed to go on taking even as much as they do at present?—Yes. I think after the cross-examination of Sir Thomas Farrer yesterday I need hardly allude further to that, but of course we do know that all Hertfordshire says that it is suffering enormously from the present denudation of water to which it is subject, and it is obvious that whenever any attempt is made by London to take the water of the New River and East London Companies for general supply, or whenever any attempt is made to take it over by any water authority for London, Hertfordshire will come and say, as in fact they are saying here, "We ought to have back some of the water which we are now being deprived of," and until that question is settled it is almost impossible for the London county council or any water authority to decide whether it is expedient or prudent to buy the whole of the East London, or the New River Companies, or whether they should be left alone.

3849. Of course it is a question which could not possibly be taken into account effectively by any arbitrators?—I think Sir Thomas Farrer explained that very clearly. There are certain considerations which must be settled first, as the London county council suggest, by Parliament, before any decision can be arrived at; therefore we do not see how the matter can be brought before Parliament for fair consideration, except on some Bill introducing a detailed scheme for dealing with the whole subject, and involving a settlement of these very important incidental questions. No arbitrator could decide whether

Mr. *F. W. Pember*—continued.

Parliament is going to allow Hertfordshire to get back some of the water now taken from it.

3850. Another question which arises about these two companies is this, I believe there are doubts, are there not, about the legality of the bargain purported to be made between the Lee Conservancy and the East London and the New River Companies?—That is a subject, of course, which will involve great consideration before this question is settled. It was discussed to some extent before Sir Charles Russell's Committee on the purification of the River Lee. It was certainly strongly suggested before that Committee by a very competent legal authority that there was great doubt as to the right of the Lee Conservancy, as they purported, to have sold to these two companies the whole of the water of the River Lee. That is a very difficult complicated subject which must require close consideration.

3851. Then another subject which would obviously be very difficult for an arbitrator to consider, in fact he could not decide it, I suppose on his own authority, would be as to what is always assumed, that the companies are in every case making nothing but the charges they are legally entitled to make?—There again the companies differ. The terms of the sections of their Acts authorise them to charge double in some cases; certainly there seems to us to be very strong *primâ facie* ground for imagining that a large portion of the income of the Lambeth Company, for instance, consists of over charges. I do not mean to assert that it is my own opinion that they are over chargeing, because I have not been able to satisfy my mind upon the somewhat difficult legal considerations which are involved; but it is strongly urged, and further evidence may be laid before this Committee upon that particular subject.

3852. At any rate, it is a question which would have to be gone into?—It is a question which will have to be gone into, and I think if you look at the accounts of the companies, some of them at all events, you will see an item of "overcharge." It is a thing which we never quite understood; but it seems to suggest that there are certain overcharges made by the companies, in respect of which, when attention is called to them, deductions have to be made, which appear in their accounts. The whole system of charge, at all events, by some of the companies, will require most close consideration.

3853. I may take it that the main proposition which is in the minds of those of the county council who have most closely considered this subject is that which Sir Thomas Farrer indicated; that it is eminently undesirable in in any way to tie the hands of London in approaching this question?—No doubt there is a very strong feeling to that effect all through the county council; that if they are to be responsible in any way for recommending a scheme to Parliament upon this subject; or, if they are assumed to be responsible for exercising their influence in the interests of the ratepayers, a considerable amount of time is necessary to investigate all these things, and their hands ought not to be tied by any such proposal as that contained in this present Bill.

3854. Then as to the statutory position of the companies; one point, I think, is worthy of mention,

Mr. *F. W. Pember*—continued.

tion, and that is a suggestion which I believe Sir Thomas Farrer made in the evidence he gave, that the Public Health Act of 1875 prevents competition with the companies?—I think that was rather suggested to Sir Thomas Farrer by one of the counsel. I think it is just as well that the exact position of that matter should, at all events, be before the Committee. There is nothing in the Public Health Act of 1875 which, in the least degree prevents, or could prevent, any local authority from introducing a Bill into Parliament either for a competitive supply, or for a competitive supply combined with purchase. The only effect of the section to which Sir Thomas Farrer's attention was directed in cross-examination is this, it is a section of the Public Health Act of 1875 which conferred upon local authorities and sanitary authorities all over the country general powers of setting up water companies without coming to Parliament for authority. That general power so conferred by the Public Health Act on sanitary authorities, was coupled with the condition that the local authority should not under that Act go and set up waterworks in competition with any company which was able and willing to supply its own area; but that section has no reference whatever to the question of whether any local authority has any right to introduce a Bill for a competitive supply. No doubt if any such Bill were introduced, the particular section of the Act of 1875 might possibly be referred to by the company before the Committee or Parliament. That section exercises no restraining power whatever upon any local authority introducing any Bill.

3855. I think I need not ask you any further questions; of course, if the Committee desire to put any question to you they will do so?——

Cross-examined by Mr. *Rigg*.

3856. I want to ask you one or two questions on behalf of the Lambeth Company before my learned friend Mr. Pope comes in. I understand you to say that you have complaints of overcharges made by the Lambeth Company; will you tell me by whom those complaints were made?—Well, as I said before, if the Committee desire it, further evidence on that subject will be laid before them; I am scarcely competent to deal with it. The point is——

3857. Will you answer my question first; tell me by whom the complaint was made?——

Mr. *Moulton*.] I do not think he has said there was a complaint. He said there was great doubt whether a large portion of their income——

Mr. *Rigg*.] I beg your pardon; I think I am right; I think they said they had had complaints.

Witness.] I do not think I said that, but if it will be of any assistance to you, in order that you may investigate the matter, a point has been brought before my notice in reference to the question of your charge for supply for domestic purposes. Upon the demand notes of the Lambeth Company is, or was, a printed statement that in the case of Lowe *versus* the Lambeth Company, the Master of the Rolls decided that garden supply is not a domestic supply, and on the strength of that statement made upon the demand notes the Lambeth Company have been in the habit of making a charge upon the consumer for garden supplies as if they were entitled to charge for them in addition to the domestic supplies. In one particular case within my knowledge (after a good deal of discussion, it is true), the Lambeth Company quietly dropped their claim. Have you one of your demand notes with you?

Mr. *Rigg*—continued.

3858. Stop a moment; I am cross-examining you; you are not cross-examining me?—No; I have no right to cross-examine learned counsel, but if you would give me one of your recent demand notes, we might be able to clear the matter up.

3859. My question is, as to by whom this complaint is made; let us go by steps; has any complaint been made to you, or rather to the council, whose mouthpiece I understand you are here, of an overcharge by the Lambeth Company?—No complaint.

Chairman.] I do not think the witness said he had any complaints. He understood there were, for instance, certain overcharges, and he did observe something in the accounts. I did not understand him to say that there had been any direct complaints made to the London county council or to any authority, exactly.

Mr. *Bristowe*.] I do not think so, either.

Witness.] I have no objection to inform Mr. Rigg the exact facts.

Mr. *Rigg*.

3860. Have you been looking at the accounts of the Lambeth Company to see whether you could find out where, according to your view, they overcharged?—No, I think the particular item I was alluding to at that moment as appearing in a water company's accounts (which I do not understand), was in the Southwark and Vauxhall Company's accounts, which we had before this Committee the other day. The Lambeth Water Company's accounts are not available to me, and I do not know whether there is anything about it in their accounts. What I do know is this: that in a particular case, of which I have the notes before me, they did make a charge in respect of a domestic supply, which the consumer who was called upon to pay, regarded as illegal, and after a considerable amount of correspondence and refusal to pay, the Lambeth Company dropped their claim; and my notion is that it will turn out on investigation that there are a considerable number of consumers in the same position, paying on the strength of an incorrectly quoted case printed on your notes.

3861. Are you alluding to Lowe's case?—Yes, I am.

3862. Do you know that the Master of the Rolls decided that a supply of water in a garden was not a domestic supply?—No, I do not know it at all. I know that it is so stated on your demand note; but unfortunately the case is not reported.

3863. We shall be able to produce that case?—I think it will be very desirable that you should, because it has been stated in other cases, and it will have to be produced and fully discussed.

Mr. *Pope*.] Is it the purpose of this Committee to settle what the law is? Mr. Cripps says it will have to be produced and discussed—I do not know why.

Witness.]

Witness.] It is only because Mr. Rigg asked me. I do not propose to discuss it.

Mr. *Rigg.*

3864. I asked you in what circumstances you say the Lambeth Company overcharged. You refer to Lowe's case, and we will go to that by-and-by if it necessary. Do you know, as a matter of fact that the Lambeth Company, compared with other companies, charge less per house than most of the Metropolitan water companies?—No.

3865. Do you know that it comes to less per house?—If I might go back to the earlier part of your question, I should say that I did not desire to make any accusation at all, or to speak against the legality of the Lambeth Company's charges, or any company's charges; what I say is that before we adopt a Bill like this, which would practically make the past income and past market value the basis of an arbitration; before you pass a Bill like that you must beware that the legality of some of the charges of the companies is under dispute, and will require to be very carefully considered. They may be quite right.

3866. Do not you think it is a question that any purchaser would raise in any arbitration?—But he could not raise it under such an arbitration as is proposed by this Bill; at least I think not.

3867. Why not?—The whole of the arbitration provisions are so extremely peculiar. I do not know whether you wish to discuss all that part of the Bill.

3868. I do not want to discuss them?—But I do doubt very much whether, assuming it to be a fact. I do not say it is a fact, that the Lambeth Company or any other company have been dividing amongst their shareholders dividends resulting from charges which they ought not to have made (assuming that to be the fact; I do not suggest that it is); I do not think that under such arbitration provisions as proposed by this Bill that question could be entertained by the arbitrator.

3869. Can you conceive of a Parliamentary Committee passing a Bill with an arbitration clause in it which would so tie the hands of the arbitrator as to prevent him inquiring into the legality of charges?—If you ask me my opinion, I answer that question in this way: I doubt very much whether any Committee would pass such a Bill. But here is a Bill certainly put before them, and one must deal with the thing as one finds it.

3870. With regard to the payments to the Thames Conservancy, those payments are regularly provided for in an Act of Parliament, are not they?—No, I do not find them in any Act of Parliament. I think it would be very interesting to know exactly the circumstances under which they are made and the agreements under which they are made. That is a very important consideration, I think.

3871. We will go into those question afterwards; I will not stop to do it now, but I want to ask you about your suggestion that the London county council, or whatever the water authority is, might purchase some of the companies and not purchase others, or purchase a portion of the district of one, and not the rest. Do you suggest that the London county council might purchase that portion of the Lambeth

Mr. *Rigg*—continued.

Company's district which is within the etched line?—I suggest that that is a matter which deserves close consideration before the London county council, or any water authority, is placed under the absolute obligation to purchase both the Southwark and Vauxhall Company and the Lambeth Company.

3872. Have the London county council in any way decided what water companies they would purchase, and what water companies they would not?—I thought that had been fully explained by Sir Thomas Farrer. The London county council at the present moment have got no power to buy any water company. What I say is, that if a Bill of this sort were passed, even if the London county council were made the authority, the London county council would be precluded thereby from giving consideration to what seems to me, and to others who have considered it, a very important matter for consideration, that is whether London might not be sufficiently served by the purchase of one of those companies, with a little re-arrangement of area, rather than by the purchase of two. Of course the time for going into any detail as to whether that is practicable, or how it could be done, or whether it is advisable, has not yet arrived.

3873. Have the county council in any way decided that they may have to purchase some of the companies and not purchase others; have they gone as far as that?—Not at all; the county council have no power to purchase any company.

3874. Have they discussed this question at all?—I think you will find that the resolutions which they have passed deal with the question of purchase, the possible purchase or acquisition of all or any of the London water undertakings, but nobody suggested that this had been considered by the council.

3875. Is not this, after all, your own suggestion of how the companies might be dealt with in the county council?—It is not my own suggestion that I know of, exactly; it is a consideration which has been discussed by the advisers of the county council and some of the members of the London county council who are interesting themselves in this subject; but it is quite impossible for the London county council; as a council; to even entertain the consideration of such a proposition unless or until Parliament gives them the necessary powers.

3876. It is only a suggestion that comes from you of what might happen?—As I thought I had put it before, it is a suggestion, and one particular consideration which would be excluded if this Bill were to pass, and which it is very desirable should be reserved for further consideration.

3877. Then it comes to this; that it is only a reason why you should think about it?—I venture to suggest it for the consideration of the Committee, very respectfully, as a reason why.

Cross-examined by Mr. *Pope.*

5878. I will endeavour if I can to deal with what the intention and scope of your evidence really is. Now let us for a moment refer to this red statement. The object of that is, is it not, to give instances in which what you call the

Mr. *Pope*—continued.

municipal system has been found advantageous, as opposed to the trust or commission system?—Yes.

3879. The first question I ask you is this: Why is not Liverpool in that list of big places? It is the next biggest place to London?—The answer to that is a very simple one: Liverpool has been just recently engaged, as everybody knows, in constructing a very large scheme of additional works.

3880. But by municipality?—By municipality.

3880*. Why, is it not one of the instances of the advantage of the municipal authority being the owners of the waterworks as well as the distributors of the supply?—I was just proceeding to tell you that in those circumstances, when I communicated with the town clerk of Liverpool, he informed me that the general conditions of the waterworks, the transitional condition, was such that he was not in a position to give any definite answers to the questions in the circular.

3881. Do you mean that the condition of the water supply in Liverpool was such that the town clerk could not tell you whether it had turned out advantageous that it was municipal?—That was so; yes. If you like to ask any further questions about Liverpool, if the Committee——

3882. Thank you. I will ask them if I desire it, and without your permission?—I was going to say that we should probably call the town clerk of Liverpool here to explain the matter to the Committee.

3883. Then am I right in assuming from your answer that the reason why Liverpool was not included was not because it would not give a favourable illustration of the principle?—No, you are wrong in assuming that altogether.

3884. Very good. I will accept that answer. The purport of this illustration assumes that the London county council would occupy the same position in regard to water supply that a municipal corporation would do within its area?—So far as applicable, yes.

3185. Now, let us see. Who is the street authority within the municipal area of a municipal corporation?—The municipal corporation.

3886. Who is the street authority within the jurisdiction of the county council?—By the present arrangements the repair and maintenance of the streets is in the hands of the vestries and district boards of London, subject to certain statutory powers which the London county council possess as inheritors of the Metropolitan Board of Works.

3887. What are those powers?—Of course they have the drainage powers.

3888. I mean in the streets. I was limiting myself to the streets, because the breaking up of streets for mains is one of the very questions?—No street in London can be obstructed or broken up without the approval of the London county council.

3889. What has the London county council got to do with it?—They have certain general powers.

3890. As regards main roads, yes, under the Local Government Act of 1885; as regards streets, generally, the local authorities of the district are the street authorities; you and I are familiar with that on the Tramways Acts?—Yes.

Mr. *Bo-ton.*] The London county council have no power to enforce those things.

Mr. *Pope.*

3891. No, they have not. (To the *Witness.*) We start, then, with this cardinal difference; that where the municipal system has been applied, it has been where the authority has the street jurisdiction; the county council, who are to be put in the place of the corporation, have not a similar street jurisdiction?—No, that is so; they have not a similar street jurisdiction.

3892. Now, just let me call your attention to another matter, with reference to this application of the municipal principle to the county council; that is what I am on now; I observe that you do not in any of those tables say what was the water supply before the municipal authority got it?—No; that did not come within the scope of this particular information.

3893. Is there one single instance in any one of these cases, in which Parliament has given over the water supply to the municipal authority without accompanying with it the purchase of the existing undertaking?—No, I am not aware of any case.

3894. On the contrary, is it not a fact that in every one of those cases the power, when originally given to the corporation, was at the same time accompanied with the acquisition of the existing undertakings?—I think in all those cases agreements were entered into by the municipal authority——

3895. I will deal with the agreements afterwards?—For the purchase of a water company's supply.

3896. That is another question, but the power to become the water authority was in every case accompanied with the obligation, either under agreement or in some other way, to purchase the existing undertaking, was it not?—In all cases where the water supply of a town was originally in the hands of a company, and the corporation agreed to buy the undertaking of that company, of course the purchase was comprised in the Bill which was introduced.

3897. It would be a little comfort if you could manage to say "yes" now and then, when you simply mean to assent?—I did not simply mean to assent.

3898. Well, you only did assent in the end, then; that is all. Now let us see what your illustrations themselves amount to. Is not that the case, not only that all these corporations have had to buy the existing undertakings, but that they have had to buy them whether they were adequate for the present supply or not?—There, again, I must ask leave to take your question by instalments. They have not had to buy them in the sense of having been compelled to buy them. They have willingly purchased them, which seems to me to be a different matter.

3899. You shall not draw me from this particular inquiry by starting another, which I will come to myself in a moment. But now, do you know about Glasgow; that is the second instance in

Mr. *Pope*—continued.

in your paper?—I am not very familiar with the precise details of the Glasgow case; of course I know generally about it.

3900. Do you know that, as a fact, the Glasgow water authority is a separate commission, called "The Glasgow Water Commissioners"?—Yes, I know it; but I think the corporation act as commissioners.

3901. That is to say, the magistrates and council?—Yes.

3902. Not the corporation, but the magistrates and council, the magistrates and council are not the commissioners; the commissioners are a separate body?—In one sense they are; yes.

3903. In every sense they are, are not they?—If I understand the Glasgow case——

3904. Have you never represented the Glasgow commissioners against the Glasgow corporation?—No; you happen to have hit upon a case of which I know less personally than of any of the others; but I did not quote the Glasgow case as being a case of a commission, because there are peculiarities in it, I think, which do not make it exactly analogous to this or any of the other cases.

3905. We will see; I want to read you just a single sentence or two from the preamble of the Glasgow Corporation Waterworks Act of 1855, which is fully stated in your list to be the foundation of the municipal title. I am reading now from the preamble of the Glasgow Water Act, 1855: "And whereas the present supply of water to the said city of Glasgow, suburbs thereof, and places adjacent, is inadequate and insufficient both in quantity and purity for the wants and convenience of the present and rapidly increasing population, trade and manufactures of the said city and suburbs and places adjacent"; and whereas it is for the benefit of the inhabitants that there should be improved provision, first, that the water commissioners are to buy, and are empowered to buy the Glasgow Waterworks and the Gorbals Waterworks, you see what principle is involved there, no municipal authority allowed to intervene in order to become the water authority without the acquisition of the existing water authority, although that water authority may be inadequate and insufficient, even in purity and quantity; can you point to any one of these cases?——

Mr. *Moulton.*] You must not take the witness as assenting to that.

Mr. *Pope.*] I do not ask the witness for his assent, the Act of Parliament declares it.

Mr. *Moulton.*] I beg your pardon, I do not think it does in the least.

Mr. *Pope.*

3906. (To the *Witness*): Can you point to any one of those cases which you brought forward as illustrations of what a county council taking the place of the municipal authority without the powers which violate that principle which is embodied so clearly in the Glasgow Act?—No; I think we may take it, to save time, as admitted, that if you go all over the United Kingdom and look at the history of all the cases there is no case up to the present time, where a municipal

Mr. *Pope*—continued.

authority has been permitted without purchasing the works of the existing company to introduce a supply in competition with that company.

3907. In competition?—Yes.

3908. You are not allowed to enter into competition with the company and then to purchase it, you know?—That is a case of agrement. In that particular case you referred to Glasgow having agreed to buy the particular works brought in that Bill.

3909. Can you give me an instance in which Parliament has sanctioned the acquisition by a municipal corporation, compulsorily, of any water undertaking?—No, I do not think you can say, strictly speaking, that it ever has.

3910. Then hitherto, I may take it, the uniform practice of Parliament has been that before giving the municipal authorities this advantageous power, they have sanctioned the purchase by agreement, or have never given to those corporations the power to compel agreement with the water companies. That has been the uniform practice of Parliament, has it not?—Of course Parliament has given to all the municipal corporations of the kingdom before compelling them to purchase, or before any reference purchase powers which the London county council are now asking for.

3911. How do you mean?—Every other municipal corporation in the kingdom has the right to submit to Parliament such schemes as it thinks fit by way of a water Bill for dealing with the water supply of its own area. London is the only local authority which does not possess that power, and all the London county council are asking is that they should be placed in the same position as other authorities.

3912. In what respect do other authorities differ?—In the matter of costs.

3913. Surely they cannot submit a Bill to Parliament unless they get the cost clause at the end of their Bill, or sanction by the constituents under the Borough Funds Act?—That is so; that power has not yet been attached to the London county council.

3914. Then you propose now that the law as relating to the London county council should be amended by giving the London county council powers to promote Bills in conformity with the Borough Funds Act?—That is the only proposal which has been made to Parliament by the London county council. It is embodied in a Bill now pending in Parliament. Of course we all know you could not apply to London the provisions of the Borough Fund Act, but analagous provisions have been suggested in the Bill which has been introduced by the county council.

3915. Was the case of London considered when the Borough Fund Act came before Parliament?—Yes.

3916. And excluded?—Yes. The Act does not apply to London. The Metropolitan Board of Works, you see, had special powers which were assumed to be sufficient under the 144th section of the Metropolis Management Act, and they are sufficient for all purposes, except that owing to this peculiar decision under which it has been held that they are not sufficient for waterworks purposes. All other municipal corporations have the power for waterworks pur-

Mr. *Pope*—continued.

poses; and the suggestion is that the London county council should have the same power.

3917. Subject to an appeal to their constituents under the Borough Funds Act?—Subject to an appeal to their constituents.

3918. Then your suggestion as regards this water question is, first, that the law should be altered as regards the London county council in giving them powers to promote Bills subject to provisions analagous to the Borough Funds Act?—That is the suggestion which has been made by the London county council.

3919. I think you might have said "yes" to it, because that is clear?—Yes, it is.

3920. That is the first suggestion?—Yes.

3921. Beyond that you do not go, what the object is, how they are to become the street authority, how they are to become a municipal corporation, you do not suggest?—No, we do not. We have not, as we think, had at present a sufficient opportunity for examining into all those matters.

3922. I quite follow that; so that until the law is altered as regards the power of the county council to promote Bills, and altered as regards the authority of the county council as regards streets, you could not be on a level with the municipal authorities that are comprised in that list?—No, we should not.

3923. Does it occur to you that that may be a reason why, until the authority of the county council is altered, it should not be erected into a water authority?—No, I do not see, myself, that it is a reason at all. Of course I know, as appears from the correspondence which we have read here, and the resolutions, some of the vestries and district boards who are the street authority entertain some objection to the London county council being entrusted with those powers; others who are the street authority assent to their being entrusted with those powers. Therefore I do not think that the street question is at all material.

3924. You think not?—No.

3925. Just to take the second point in your evidence; that being your first suggestion, I understand the second to be, give us authority to enter into inqniry, for we have not made up our own mind; that is the second, is it not?—Yes.

3926. Give us time to make up our minds?—That was put before the Committee by Sir Thomas Farrer yesterday.

3927. Just so, and as I understand from you one reason why you have not hitherto thoroughly investigated this question is, because you have not had time; you have done it as far as your time admitted; I think that was your own phrase?—Yes, no doubt that is so.

3928. Do you think that in the future the time of the county council will be less occupied than it has been in the past?—I think Sir Thomas Farrer himself suggested that, that it is probable after a little more experience their time will be capable of much more economical use than at present.

3929. Considering that it is a representative body, and changes you know, you cannot always rely upon the experience of the past?—I should rather leave that to the deputy chairman of the council, or someone else to explain it.

Mr. *Pope*—continued.

3930. I do not know whether I should think it worth while to ask him, if he were here?—You put an interpretation on what I suggested, which is entirely different to what I intended myself.

3931. I have put no interpretation upon it. I have used your words. I ask you the simple question, whether you think in the future that difficulty will be less than it is now?—When I said the county council had not had time to consider this matter, what I meant was this, that very close and prolonged investigated are requisite by responsible people or by the London county council, into such questions as the possibility of supplemental supplies; and what I meant to say was that the time at our disposal has not been sufficient to enable us to get in the information which the county council are thus seeking and deal with it. The actual reports from the responsible people who have been instructed to investigate have not even been delivered to the London county council; but I never for a moment intended to suggest, and I doubt very much whether even any words of mine implied it that the London county council itself had not time to deal with this water question in addition to its other duties. One of the vestries I know suggested it.

3932. Another suggestion, and then I will leave the Committee to judge as to what yours are really worth; of course you suggest that the county council should be nominated as the water authority, with power to inquire, and among the points of inquiry would be the necessity of purchasing the water companies?—Yes, I think whether or not there is a necessity would be one of the subjects which they would have to inquire into.

3933. Would not "yes" do?—It is rather difficult to answer a question which is somewhat of an argumentative character.

3934. Not at all?—"Yes" is a good English word, and does not gain anything by being expanded?—If you will put me an entirely simple question I will answer it.

3935. That was a simple question. Then the parties to inquire should, in your judgment, be parties who are interested in the result of the inquiry?—Yes. I think that before a purchaser is compelled to make a bargain he ought to have an opportunity of considering whether the bargain is worth his making.

3936. But as regards suggestions for legislation, which is what you say the county council should do, do not you think that a tribunal which would be impartial and disinterested would probably command the confidence of the public more?—If you mean by "a tribunal which would be impartial and disinterested" a Committee of Parliament of course it would.

3937. Or a Commission?—Or a Commission. The London county council have directly suggested it.

3938. I am very much inclined to agree with you upon one matter, that legislation upon this question would be premature at present in the hands of the county council because they know so little about it.

Mr. *Moulton.*] Do not say that.

Mr. *Pope.*] What is the matter?

Mr.

Mr. *Moulton.*] I submit that in a question like that it is not quite right for Mr. Pope to give opinions and remarks of his own as to whether the county council know anything about it.

Mr. *Pope.*] That is the very ground on which they are promoting their Bill.

Mr. *Moulton.*] There is no question, Mr. Pope——

Mr. *Pope.*] The ground on which the London county council (and Mr. Cripps, if I do them injustice will correct me in a moment) are framing their suggestions is that they know so little about it that they want more time. (To the *Witness.*) Is not that the very ground?—No, I think not.

3939. Then why do you want time?—Because the proposel before this Committee is a proposal for which there is no precedent in any legislation.

3940. You have put forward counter suggestions?—The proposal here is that the water authority, or practically London, which the county council represents, should be compelled to buy all these undertakings. There is no precedent or authority for anything of the kind in the whole of the legislation of this country?—I beg your pardon.

3941. I beg your pardon?—And we do object to it, because we are not in a condition to deal with it. The proposal we do put forward is, that we should be empowered to submit to Parliament, for the consideration of Parliament, such a proposition, as by sufficient consideration the county council feel they can look forward to.

3942. I do not follow your answer, and I do not propose to cross-examine upon every part of it. I am wrong, then, am I, in saying that the view of the county council is not only that they should be erected into a water authority, although they do not stand in *pari materia* with the municipal authorities, but that they ought to have powers to promote a Bill and to inquire what that Bill should be before it is brought forward?—Yes. They are not in a position to state to Parliament their view, either, for instance, that the waterworks will be adequate for all the future requirements of London, or that in the general interests of London the Thames waterworks should be abandoned; that is a very important question. The London county council are not prepared to express an opinion.

3943. I quite think so?—They have not material before them, although they will very soon.

3944. Therefore, any legislation will be premature?—Any legislation which imposes on the water authority of London the obligation to buy those waterworks.

3965. Any legislation which would deal with the scheme at all would be premature, would it not?—Well, if you ask me that, we think, and the London county council think, that it would not be premature, if it were practicable, to confer county council power to agree with all or any of the water companies.

3946. It would be premature to erect the London county council into the water authority unless it enjoyed conditions such as other water authorities find necessary, would not it, that is an initial step, you know, to give to the county

Mr. *Pope*—continued.

council the same powers which the municipal authorities exercise and enjoy before the London county council could be erected into the water authority; therefore, that is premature, is it not?—No, I do not admit that at all. What you have put before me is the difference between the London county council and other local authorities in regard to the matter of street paving and repair.

3947. Yes?—I do not consider that that is in itself any sufficient reason for delay, or any sufficient reason against.

3948. Without the assent of the local authorities, how would the mains and pipes be laid?—All the resolutions of the local authorities of London are before the Committee upon that point, and I do not myself think they would interpose any difficulty.

3949. You do not think it would be premature, and that the first thing should not be to take the opinion of Parliament as to extending the authority of the county council?—That is the very question, whether Parliament would extend the authority of the county council. I do not think it is necessary to extend it in regard to streets at all.

3950. You do not?—No. Supposing they purchased the water undertakings, they would stand in the same position to the paving authorities as the water companies do now.

3951. Supposing the London county council to be the water authority of London, so far as streets are concerned, they would be in exactly the same position as a private company, would not they, so far as their right to open up streets for mains and so on, unless Parliament altered the law in that respect?—Unless Parliament altered the law, and I doubt very much whether any alteration would be necessary; they would stand in the same position to the paving authorities that the water companies do now. It might be desirable, very desirable, to consider whether that relation should not be altered.

3952. Is not the position of a water company that, unless it has a distinct statutory authority itself to open up streets, its opening up streets would be resisted as a nuisance by the local authorities?—I should think it would, certainly.

3953. I want, therefore, to know how, unless as a preliminary step Parliament clothes the county council with authority, you are to carry out the administration of the water supply as a preliminary step?—As a preliminary step, all that would be necessary to enable the London county council, or any other water authority, to deal with water supply in London at large, or in any part of London, would be to transfer to them the powers now exercised by a water company.

3954. That would only have effect within the district of the company purchased?—Exactly.

3955. It would not enable you to go a yard beyond the district of that company?—Oh, no.

3956. Suppose you were only purchasing one company, as you suggest, how would you manage?—The power would apply, then, to the power of that company.

3957. And no further?—Not unless any further

Mr. *Pope*—continued.

further powers were conferred upon the water authority of London for that purpose.

3958. That is to say, as a preliminary step, the county council would require the law to be altered as regards their street authority?—No, I do not think it was ever suggested that outside; at all events, it is not at present suggested. I do not know what there may be in any future proposition laid before Parliament, but it is not at present suggested that any powers should be conferred on the county council outside.

3959. That is the defect of your suggestions now, that they are incomplete; that is the whole point of my observation?—Just as an illustration of your question, suppose the London county council were to come to terms with a company either south or north of the river, and not on both sides, as a water authority they might certainly very conveniently carry on water supply within the area of the companies purchased under their existing powers.

3960. Would that be a London supply by a central authority?—Assuming that particular course were adopted. I do not suppose it is very likely——

3960. I do not suppose it is in the least likely, but one wants to see what your suggestion is tending to. In fact you can do nothing in the London county council unless Parliament extends the authority that you have at present?—That we all admit; yes.

3262. The remedy, then, in your view, for the difficulty with regard to the water question is not to deal with the water, but extend the authority of the county council. That is your suggestion?—The only suggestion definitely put forward by the county council at present before Parliament is, as I have already stated, that contained in the Bill which is pending; and that is——

3963. Could not you summarise it by a "yes" or a "no"?—I daresay I can; yes.

3964. I wish you would, because I really do not want to remain on my legs for ever. Now only one other question: Is there any instance in the whole range of legislation in which your suggestion of a power of competition on the part of the municipal authorities with existing interests has ever been sanctioned by Parliament. Is there a single instance of it?—Every municipal authority in the kingdom has the power of submitting to Parliament any scheme for dealing with its water supply that it thinks fit to submit.

3965. Is there any instance in which Parliament has sanctioned a competitive supply in the hands of a municipal authority?—No. That I have already told you. That is a different matter.

Cross-examined by Mr. *Lewis Coward.*

3906. I believe you said that the case of the Kent Water Company required very careful consideration?—Yes, I did.

3906. And I believe you also told the Committee that the Kent authorities had been very anxious to facilitate the views of the county council in every way?—The advisers of the Kent authority certainly met us in a very friendly way and gave every assistance in the matter.

Mr. *Pope*—continued.

3068. You might have said "yes" to that. Are you aware that that is a very considerable change of front on the part of the local authorities in Kent towards the Kent Company?—No.

3969. We will now go a little into history. Are you aware that in 1860 a company which was then formed under the title of the "North Kent Water Works Company," supplied the inhabitants of Dartford, Crayford, Bexley, Wickham, Erith, Eltham, Chislehurst, and Bromley?—No, I do not know anything about it.

3970. Are you aware that the promoters of that Act subsequently made overtures to the Kent Company, and that in the result the Kent Company applied to Parliament to amalgamate the North Kent Company with their undertaking?—No, I did not know that.

3971. Are you aware that in the year 1867 the local board of Dartford, having constructed waterworks for the supply the town which were unsuccessful, applied to the Kent Company to take over their plant and machinery?—No, I am not familiar with it. I know that an Act was passed in 1868 transferring the waterworks of the Dartford local board to the Kent Company.

3972. Are you aware that in 1877 the Bromley rural sanitary authority sent a request to the Kent Company to obtain the necessary powers from Parliament to enable the extension of the company's supply into various other parishes, and I am going to give you those now, please, namely, into the parishes and townships of Swanscombe, Stone, Darenth, Wilmington, Sutton-at-Hove, Farningham, Eyresford, Foot's Cray, North Cray, St. Paul's Cray, St. Mary's Cray, Orpington, Farnborough, Chelsfield, Keston, West Wickham, and Hayes: are you aware of that?—No.

3973. Are you aware that in the case of the Dartford area the guardians requested the company to construct the necessary works and mains for supplying Sutton, Farningham, Eyresford, and Darenth?—No.

3974. Are you aware that the rural sanitary authority of Bromley again in 1885 applied to the Kent Company to obtain the requisite powers for extending the company's water supply throughout the remainder of their area?—No. I know, of course, that there have been various applications which we opposed on behalf of the Metropolitan Board of Works formerly.

3975. You are quite right there; and that Bill failed upon the opposition of an adjoining rural sanitary authority?—Which Bill?

3976. The Bill of 1885; but are you aware that subsequently that rural sanitary authority joined Bromley in a joint request that the Kent Company should take over that area?—No, I did not know that.

3976. And subscribed towards the expense?—I do not know anything about the arrangements of that time.

3978. I will not deal with them in detail, but whatever opinions may prevail elsewhere, at any rate it is evident, is it not, that the opinion of the local authorities, was that the matter of supply should be in the hands of the Kent Company down to 1885?—I do not know that there is any evidence of that.

3979. What

Mr. *Pope*—continued.

3979. What is the conclusion, assuming those facts are true, which you would draw from that. Is not it that down to the present day the local authorities in Kent have been perfectly content that the supply should be in the hands of the Kent Company, and asking that it should be so?—No, I do not know that at all.

3980. What did you mean when you said that the question of the Kent Company would require careful consideration?—Perhaps I ought to have said all the companies would require careful consideration.

3981. Why should you single out Kent? I agree with you; we who appear for Kent consider that the position of the Kent Company will require very careful consideration?—There is a matter which requires very careful consideration in regard to the quantity of water that is available in the Kent Company's district, whether there is enough for the supply both of the extra-metropolitan area and the intra-metropolitan area, whether there is enough to leave any surplus available for other parts of the metropolitan area than that which is comprised in the Kent Company's supply.

3982. In other words, engineering matters which I do not wish to go into with you?—Engineering and political matters, if I may use such an expression.

3983. I suppose we shall have an opportunity of seeing the engineer of the county council?—Yes.

3984. Then I will not deal with it at present. You put in a red book containing a large number of rates. I suppose in making a comparison with regard to water rates, you would have to consider several things would you not in drawing these comparisions?—I did not draw any comparisons, but if you did you would have to consider several matters.

3985. You would have to consider the nature and extent of the area of supply?—Yes.

3986. And the density of the population?—Yes.

3987. And the natural facilities for the water supply?—Yes.

3988. And the altitudes of supply?—Yes; no doubt.

3989. I notice that the second one on your list is that of Glasgow, which is the only one that I am going into a little; Glasgow has a population of over half a million, I believe, has it not?—The population of Glasgow within the limits of supply, according to the return from me by the town clerk is 830,451 people.

3990. On 6,111 acres of land?—No.

3991. Less than 10 square miles?—No; that is not so.

3992. You are quite right; the water area is 20,000 acres, or some 30 square miles?—The area is 15½ miles one way, by 11 the other; that is 165 miles, is it not?

3993. Well, 30 square miles I put it; I suppose it is somewhere abour that?—It seems to me be more than that; but I would rather somebody else did the arithmetic.

3994. Whereas the Kent population is only about 450,000, and the area 177 square miles?—I rather think I made out that the Glasgow area is not very different from that of the Kent Company; but it as a mere matter of calculation.

3995. May you not withdraw that opinion a a little; I show you that the Kent population supplied is 450,000, spread over 177 square miles, against 804,000, spread over 30 square miles; if those figutes are correct, and you have no ground for doubting their correctness?—No. You are, no doubt, quite right as to the population of the Kent Company's area of supply; and the population of Glasgow is 830,000.

3996. And, of course, there is this feature too in Glasgow, is there not; the proximity of Glasgow to a natural lake?

Mr. *Moulton.*] Loch Katrine.

Witness.] According to my account here, the area of Glasgow is about 15½ miles from north to south, and 11 miles from east to west.

Mr. *Bristowe.*

3997. That is 165 square miles, is it not?—I think so. I do not know that that is exactly accurate. I dare say it is rather a rough measure.

Mr. *Lewis Coward.*

3998. And there is Loch Katrine, which affords a gravitation supply, I believe?—Yes.

3999. Would you be surprised to hear that with the exception of Glasgow, every one of those municipalities that you have given us, from Manchester down to Birmingham are much higher than the Kent rate?—Do you mean that the price charged to the consumer is higher?

4000. Yes, I do?—I should be rather surprised. I have not gone into the matter myself.

4001. You leave that alone, do you?—The estimated cost per 1,000 gallons ——

4002. I see, with the exception of Glasgow those rates are higher than the Kent rate the whole way through?—Of course Glasgow we know is very peculiar; the average cost per 1,000 gallons is about 1*d.* and 2*d.* within and without. I do not know about the others; I have not compared them.

Cross-examined by Mr. *Meysey Thompson.*

4003. The cross-examination of my learned friend necessitates my asking you one or two questions. My learned friend has asked you whether or not the attitude of the local authorities in Kent with reference to the Kent Company has altered very much during the last few years, and he based his question upon the fact that some of those local authorities who are already supplying some parts of that district by the Kent Company, had applied to the Kent Company to extend their supply to other parts of their district. I dare say you know Section 52 of the Public Health Act of 1875, which says that: "It shall shall not be lawful for the local authority to construct any waterworks within such limits if and so long as any such company are able and willing to supply water proper and sufficient for all reasonable purposes for which it is required by the local authority"; would not that prevent the local authority from supplying water in those parts of their district where it was already supplied

Mr. *Meysey Thompson*—continued.

supplied by the Kent company?—It would do that, and it would do rather more. It would prevent the local authorities establishing waterworks in any part of the district the Kent Waterworks Company were able to supply if they asserted they were able and willing to supply it.

4004. Exactly; so long as they were able and willing to supply, the local authorities would be preventing constructing any waterworks or supplying any water within their district?—They would.

4005. And as a first preliminary to any supply by themselves, would have to require the Kent company to give the supply to those parts of their district?—Yes, that would be so.

4006. My friend said there were no Parliatary powers (that was exactly the point I was on) within those parts of their district where the company's powers already extended; they cou'd not construct any waterworks or compete with the company?—No.

4007 Therefore if they had required water for these outlying districts, they would have had to construct special waterworks for each litttle bit of the district where they required the new supply?—Yes, that would be so.

Cross-examined by Mr. *Giles.*

4008. You had a number of communications with the different vestries; may I take it that the effect of those communications upon this point was that there was a general consensus of opinion that the control of the water supply should be in the hands of the central body directly representative?—From the vestries?

4009. From the vestries?—Yes, I think they all concurred in that.

Mr. *Bristowe.*] They did not all answer.

Witness.] All that answered.

Mr. *Giles.*

4010. I am going a step further; a number of them preferred the London county council as the central body?—Yes.

4011. I think I also understood you to state that the London county council were never loth to accept that responsibility?—I think that was expressed by Sir Thomas Farrar, and I would rather you took it from his evidence than from mine. I do not think the London county council are desirous, from what I know of their views, of undertaking further duties that could be avoided. If it is thought generally desirable that they should take up this business, they have already stated in the report which has been adopted by the council, that they are willing to do so.

4012. I will ask you a similar question with respect to the outside areas: you have had a number of communications with them also, I believe. Would you say that the general opinion is of the outside areas, those outside the London county council jurisdiction, that they would prefer a central body to control the water supply, directly representative, directly elected?—No, I do not think so. I think the general view of the sanitary authorities and local authorities all round would coincide with that of the London county

Mr. *Giles*—continued.

council; that is so as far as practicable the supply of water in each district should be in the hands of the sanitary authority.

4013. Should be in the hands of the sanitary authority?—Yes.

4014. Do you refer to the result of the conference?—Yes, to the result of that conference and the result of conversations and negociations.

4015. Is it not the fact that most of the authorities that appeared at that conference were in a position to supply themselves with water?—I do not exactly recollect how that was; but I should think that most of them were, at all events, prepared to consider carefully the question of supplying their own districts with water. They were not all; because the first on my list of representatives present is the Middlesex county council; of course the Middlesex county council differs very much from the London county council because it has not the same powers.

Mr. *Lawson.*

4016. The county council have no power to promote?—No, they have no power to promote; and I do not think it was ever suggested that the Middlesex county council should undertake the supply.

Mr. *Giles.*

4017. Go to the others. I will put it as shortly as I can to you. If you look at the map, is it not the case that with the exception of Hornsey, perhaps, Molesey, Walthamstow, and East Ham, all those authorities there represented are in a position, from local sources, to supply themselves with water?—I think it would probably be within the power of all these local authorities who were represented at that conference, to undertake for themselves to supply the water in their own districts, or in a combination of districts.

4018. And Sir Thomas Farrer indicated that one of the principles upon which the London county council intended to proceed, would be to respect those authorities which were in that position and leave to them the supply of water?—No doubt. I think Sir Thomas Farrer put it very strongly that it was not the wish of the London county council to embark in any outside supplies.

4019. One other question. Have you taken out at all the relative numbers of the population of the different districts outside the London county council jurisdiction, and within; I am speaking, of course, of the area that is supplied with water by the eight companies?—I have not got them in detail, but in the aggregate I think they were correctly stated by Mr. Wilkins in his evidence at an earlier period of the proceedings. If you wish the aggregate, I think Mr. Wilkins gave them correctly.

4020. You have not any further details to give me besides that?—No, I have not the individual populations of the several local bodies, if that is what you want.

4021. I mean the population of the districts coloured on the map, outside the county council jurisdiction?—The aggregate population has already been given: in detail I have not got it.

4022. I shall

Cross-examined by Mr. *Rickards.*

4022. I shall ask you as little as possible about the views of the London county council, because I prefer to get them first hand. Now, with reference to the powers of the London county council, I see that in the 4th paragraph of the report of Sir William Harcourt's Committee, it is stated, "that in the absence of any single municipal body to which these functions could be committed, a water authority of a representative character should be constituted"?—Yes.

4023. That was in the year 1880, was it not?—Yes.

4024. Since that time the London county council have taken the place of the Metropolitan Board of Works, have they not?—Yes.

4025. Now, just tell me shortly, if I am correct in stating that these are the main powers of the London county council at the present time, as successors of the Metropolitan Board of Works, main drainage, street improvements, bridges, fire brigade, industrial schools and reformatories, is that so?—The London county have power to deal with those matters, yes.

4026. And of course you have certain licensing powers as well?—There are a very large number of other powers which the London county council possess; subjects rather which are under their control and management, besides those which you name.

4027. The roads and streets as has already been put to you by my learned friend Mr. Pope, are under the authorities of each district?—The paving, lighting, management, repair of streets, are under the control of the vestries and district boards of London.

4028. And outside London.

Mr. *Lawson.*] Not the whole; there are exceptions.

Mr. *Rickards.*] And with regard to building line and so forth, the material, the powers of breaking up streets, and so forth.

Mr. *Lawson.*] There are some exceptions; the Embankment is one.

Witness.] The honourable Member reminds me that I have made a mistake. There are several very important thoroughfares in London which are entirely vested in the county council.

Mr. *Rickards.*

4029. About 12 miles, out of some thousands, is it not?—I am not sure about figures. Embankment and Northumberland-avenue are the most important.

4030. With respect to the rest the sole power to break up streets is in the hands of the vestries, and the sole responsibility of keeping them properly in repair, is that so?—The power to break up is in the hands of the water and gas companies, quite as much as of the vestries.

4031. Apart from rights of that kind, easement rights, it is a fact is it not, I am sure you as a lawyer will not deny it, that under the Metropolis Management Act of 1855, the vestries and districts boards were constituted the road authority and the surveyors of highways within the metropolis; that is so, is it not, under Section 96?—Yes. That is a much more limited proposition than the one you put to me. The

Mr. *Rickards*—continued.

London county council have general powers of making main sewers through London, and even the vestries of London cannot contract any sewer without the approval in writing of the London council council.

4032. Is that so?—Yes, that is so.

4033. This is the marginal note of Section 96 of the Metropolis Management Act, 1855, which called the Metropolitan Board of Works into existence: "Powers and duties of surveyors of highways and property vested in them transferred to vestsies and district boards." That states the law, does it not, correctly?—Yes, I think so.

4034. Outside the metropolis, within the metropolitan water area, the local authorities again are the surveyors of highways within their own districts, are they not?—Of course. To go back to your former question ——

4035. Do answer *that* question please?—I think so.

4036. Why do you want to go back?—Because I have given you an inaccurate answer to your first question. The powers of the vestry and district boards of London are subject to this proviso: that streets are not to be closed by them during the execution of any paving, sewering, or other like works, except with the permission of the London county council.

4037. To what streets does that apply; main thoroughfares?—To all streets; every street. You put it a great deal too broadly in your first question, to which I assented accidentally; therefore I desire just to correct my answer.

4038. With regard to breaking up the streets, that is primarily in the hands of the vestries. You will not deny that proposition, that is, the power of breaking up?——

Mr. *Moulton.*] They have no power except with reference to the case of drainage.

Witness.] I thought I had answered the question; there are powers of breaking up any of the streets in the hands of the county council, the water companies, and the gas companies.

Mr. *Lawson.*

4039. And electric lighting too, I suppose?—And electric lighting companies; the paving and repairing are in the hands of the vestries and district boards subject to this, that they are under the control of the London county council, and cannot close any street without the consent of the London county council. The vestries have a kind of subordinate authority, which is very ample for all their purposes.

Mr. *Rickards.*

4040. For what purposes can the London county council at the present moment break up the streets in London?—For main sewerage.

4041. Is that with the consent of the vestry?—I have no doubt that those powers are exercised with the consent of the vestries. I forget at the moment the exact legal position.

4042. Who are the road authorities; under the Tramway's Act, for example?——

Mr. *Moulton.*] I think there is no limitation as to the consent of the vestries; there could not be.

 4043. But

Mr. *Rickards.*

4043. But the power is limited to the objects of main drainage; that is the point. (To the *Witness.*) Who is the road authority under the Tramways Acts?—The road authority, as distinct from the local authority, for the purposes of those Acts, is the vestry or district board of London, which has the control of the paving.

4044. Who are the road authorities under the Electric Light Acts?—I think the same. Of course that is subject to this, that in regard to the Tramways Acts there is a distinction drawn between the local authority and the road authority, each having its powers. The London county council are the local authority under the Tramways Act.

4045. But not the road authority?—No, not the road authority.

4046. I am asking you about the roads?—The powers are a good deal mixed up under several of these Acts as they stand at present.

4047. Outside the metropolis; but within the metropolitan water area the local authorities again are the road authority, you have already told me, I think?—I think there I gave you a little inaccurate answer. Of course where there are local boards in urban districts, those local boards in the urban districts have the control of the drainage.

Mr. *Lawson.*] Main roads are under the county council.

Mr. *Rickards.*] I know they are, Sir, for certain purposes.

Mr. *Lawson.*] For all purposes.

Mr. *Rickards.*

4048. For all purposes? Very well I will take that. (To the *Witness.*) Am I right in saying that the main distinction between the London county council and the Metropolitan Board of Works is in the mode of election?—Of course. The one was a nominated body, and the other is a representative body.

4049. Previous to the Local Government Act, 1888, the Metropolitan Board of Works were elected by the vestries themselves, were not they?

Mr. *Lawson.*] The district boards.

Witness.] They were nominated by the vestries and district boards.

Mr. *Rickards.*] They are all the same, Sir.

Mr. *Lawson.*] No, they are not all the same.

Mr. *Rickards.*] London is divided into vestries and district boards.

Mr. *Lawson.*] They are not the same.

Mr. *Rickards.*

4050. (To the *Witness.*) The Local Government Act, 1888, provided for the election by the county electors of the London county council in place of the vestries electing the Metropolitan Board of Works, that was so, was it not?—Of course that was the essential principle of the Local Government Act to constitute a representative authority for London and other countries.

4051. I was not in the room when you were speaking about the attitude of the vestries. Do you deny that 21 vestries and district boards

Mr. *Rickards*—continued.

(I have been using the expression as synonymous, but I will make what distinction there is), out of 40 metropolitan vestries and district boards have contributed to the expenses of this Water Trust Bill?—No; I know nothing at all about the financial arrangements. The only thing I know is that only one of the vestries when communicating with me referred to it, and I think they stated they declined to accede to some application for additional contributions.

4052. You do not quarrel with my actual statement?—No, I do not know anything about it.

4053. Does the result of your inquiries among the vestries of London bear out Mr. Wilkin's statement that out of the 40 vestries and district boards in London 15 are in favour of the Bill, eight opposed to it on various grounds, and 17 have expressed no opinion?—Mr. Wilkins was no doubt quoting from the information which he had at the time, and, of course, any information which he quoted he would have accurately quoted; but these figures do not seem to me to exactly correspond with the result of the inquiries which have been made by the London county council amongst the vestries and district boards; and as to their present attitude in the matter the communications received from them are all on the Notes, therefore you will be able to see to-morrow exactly what replies have been given to the London county council.

4054. Now I come a very important point, on which I shall ask the Committee to rule. I must ask you to produce the correspondence between yourselves, the London county council, and the vestries whose opinions you canvassed. I must decline to take your version of it altogether. I want the letters which you have addressed to the different vestries of London, and I want their answers to those letters.

Chairman.] It was a circular, was it not?

Mr. *Rickards.*] I understand they are not circular letters.

Witness.] No, it was not a circular. First of of all, there was a circular letter, when some answered and some did not; the next time we communicated with them: to those who had sent no reply we sent a circular letter reminding them that they had not sent a reply, and saying that we should be glad to have one; but as regards those who had done me the honour to write me any particular letter on the subject I answered to the particular letter.

4055. Now I ask you again, and it is not unreasonable, for the letters that you addressed to the vestries to which you have received replies?—If the Committee desire that the letters should be given as well as the replies.

4056. I think it is most important?—They are rather long, some of them.

Chairman.] I think you are entitled to have them if you ask for them.

Mr. *Rickards.*] Then I wish for them.

Mr. *Moulton.*] Will looking for them be sufficient.

Mr. *Rickards.*] I think they had better be on the Notes. The attitude of the other vestries is very important.

Chairman.]

Chairman.] I am not in a position to judge as to these letters, but we do not want to put more on the Notes than is necessary.

Mr. *Rickards.*] The letters speak for themselves (and it is far better to have them) even better than Mr. Cripps can speak for them.

Mr. *Lawson.*] You will not want simply the formal letters giving an acknowledgment?

Mr. *Rickards.*] No, only those in which a substantial reply has been received.

Witness.] I think if Mr. Rickards looks at those letters he will see there is not much in them, and will not wish them put on the Notes; but if he does——

Mr. *Moulton.*] If he does, then we will put on any that he thinks necessary.

Mr. *Bolton.*] What does it matter whether all the vestries have remained supporters of the Bill or not? There are a certain number who have remained, and surely that would be sufficient.

Chairman.] I should have thought so.

Mr. *Rickards.*] I am saying nothing personal to Mr. Cripps, he being the Parliamentary Agent of the county council.

Mr. *Bolton.*] Assuming that Mr. Cripps has persuaded some of them to withdraw, what does that matter?

Mr. *Rickards.*] I think it might matter; I do not know the minds of the Committee, but if the Committee should think that this Bill is promoted at the instance of a single vestry, and not concurred in by others, it may materially affect the passing of the Bill.

Chairman.] I do not think you need labour that point. I think the Committee are of opinion that the Bill is *bonâ fide* promoted, and that the promoters are justified in promoting the Bill, and I do not know that the matter of a letter or two would have any influence in convincing the Committee. Whether they should pass the Bill, is another question.

Mr. *Rickards.*] I was not in the room at the time, but I understand that Mr. Cripps put before the Committee that he was of opinion that the vestries and district boards in London, or the authorities outside London were not in favour of this Bill.

Chairman.] I think you have the general statement in Mr. Wilkin's evidence, that 23 vestries and district boards subscribed originally. That has not been contradicted. I understood that to be stated; it was in cross-examination, but that is sufficient evidence that they did approve to some extent of the Bill, in whatever form it was.

Mr. *Rickards.*] Very well, Sir, I do not wish to increase the expense, or delay the process of inquiry. (To the *Witness.*) Perhaps you will let me look at the letters; they are not private, I believe?—No; but I would rather you had exact copies; those now handed to you are only my drafts.

Tuesday, 9th June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. J. W. Lowther.
Mr. Murdock.
Sir Matthew White-Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. H. L. CRIPPS, re-called; and Examined.

Mr. *Moulton.*] BEFORE, Sir, my learned friend goes on with his cross-examination, I may mention one or two mistakes in the shorthand notes of Mr. Cripps' evidence, the most important of which is on page 225, in answer to Question 3851. Perhaps Mr. Cripps will explain it himself.

Witness.] In reply to Question 3851, I appear to have stated, with regard to the charges of the companies, that the terms of the sections of their Acts authorise them to "charge double in some cases." It should be "differently in some cases." There is no case where any company is entitled to charge double. I appear also to have said that there is "strong *primâ facie* ground for imagining that a large portion of the income of the Lambeth Company, for instance, consists of overcharges." I do not know whether I said "large;" I did not intend to say "a large portion," but "a portion."

Further cross-examined by Mr. *Rickards.*

4057. I want to ask you a few questions first as to the precedence that you have referred to in the Table that you have handed in, and also as to precedents that I have already referred to. Now, first of all, in the case of Edinburgh, Leith, and the district, there is a Water Trust representing Edinburgh, Portobello, and Leith?—Yes, that is so.

4058. Which are all of them separate municipalities?—Yes.

4059. Those separate municipalities jointly nominate a trust to deal with the water supply of the whole of their combined districts. Do you know that?—Yes, I think that is so.

4060. Do you know whether in the case of the Edinburgh Trust a reduction in the price of water has been made since the trust was constituted?—No, I do not.

4061. In the case of Dundee, that again is the case of a water commission; do you know whether a reduction in water rates has been made to the water consumers since the trust was constituted?—I thought that at Dundee the waterworks were in the hands of the municipal authority. In some Scotch cases I know they are called "commissioners;" but I thought that was so.

4062. I shall be able to go into the constitution of the Dundee Commissioners from their

Mr. *Rickards*—continued.

Acts later on; do you know whether in the case of the Dundee Water Commission a reduction in water rates has been made to the consumers?—No; as I have said, I do not think it is a case of a commission in the sense of your Bill; and I do not know whether there has been any reduction since the water has been in the hands of the municipality.

4063. Now, again in the case of Belfast; that also has a water commission or a water trust, has it not?—That is a case of a water commission.

4064. A Water Trust, I think, it is called; but there is not much virtue in a name. I beg your pardon; you are quite right: "Belfast City and District Water Commissioners"?—Yes, that is their legal title.

4065. Of course it is common knowledge that in some cases in which the corporations, municipal authorities pure and simple, have taken over the supply of water, a reduction has not been made; there have been no profits, in fact, on the administration of the undertaking in the hands of the corporation. Do you know that. Take the case of Bolton, for instance?—I can hardly give you any very authoritative answer on that subject. I have not investigated the financial results of all the towns in the United Kingdom. But, of course, where a large new supply has been undertaken, and a large amount of capital expenditure has become necessary, before that capital expenditure becomes remunerative it is probable, indeed it is obvious, that there must have been some increase in charge.

4066. Why so? Is it not possible that you can have economy of administration?—No. I am only referring to cases where a large additional capital expenditure has been necessary. You mentioned to me Bolton, for instance. Now Bolton has had to spend a very large sum of money in additional waterworks, and it will take some time before that expenditure can produce any revenue.

4067. Let us follow that a little further. Imagine an amalgamation of undertakings in the hands of a central authority: do you dispute the probability of a reduction in the expenses of administration?—Oh, no; I should think it is probable there might be a reduction in the ex-

penses

Mr. *Rickards*—continued.

penses of administration, not so great, of course, if you had a separate new authority as would be the case if the transfer to an existing body like the county council, but in either case I dare say there would be some diminution of expenditure in administration.

4068. What in the nature of things is there that would in your opinion lead to a more economical administration in the hands of an existing authority, such as the London county council, than would be the case in the hands of a Water Trust, specially constituted and elected for the purpose of administering the water supply; what are the reasons?—Of course, the first consideration is whether you would suggest that there should be any payment to the members of the new body proposed to be constituted. If you made that suggestion there would be an additional item of expenditure in the case of a commission or a new body, which would not exist in the case of the London county council.

4069. Have you done me the honour to read the Bill?—Yes.

4070. Do you suggest that under the Bill we propose to pay our members, except the chairman and two vice-chairmen any salary?—I had forgotten the exact details. Of course you know better than I do. If it is the chairman and the vice-chairmen only and not other members, of course that would probably be a less expensive process than paying them all.

4071. Exactly?—It would involve some expense of course, which would not be necessary in the case of the county council.

4072. Nothing like, I presume, the expense of paying the directors and chairmen of the eight water companies; there are a great many more than that, by-the-bye. It is 26,000*l.* a year, Sir Thomas Farrer put it at. It would be nothing like the expense of paying 26,000*l.* directors' fees, would it?—I think it is obvious, and probably there would be a reduction in the expense of administration by a consolidation of the companies in the hands of one authority.

4073. I am asking you entirely on history now you know; with regard to the proposal to buy up the undertakings of the water companies in the first instance upon arbitration terms. Have you evidence for any precedent upon that point?—On what point exactly?

4074. On the point of the compulsory purchase of water undertakings upon terms to be settled by arbitration?—Yes, I have to a certain extent.

4075. Tell me if your recollection coincides with my information (I have the Acts lying beside me at this moment) in respect of the water supply in the following districts, Liverpool; do you know that there was an obligation upon the municipal authority to purchase the water undertakings upon arbitration terms in the case of Liverpool?—I would rather leave Liverpool to be dealt with by a gentleman from Liverpool whom we propose should give evidence before the Committee.

4076. That is a very fair suggestion; I fall in with it at once, and will ask you no more questions about that?——

Mr. *Gerald FitzGerald.*] Will you give us the reference to that Act please, so that we may look at it.

Mr. *Rickards.*] It is "An Act for better supplying with water the borough of Liverpool and the neighbourhood thereof, and for authorising the mayor, aldermen, and burgesses of the said borough to purchase the Liverpool and Harrington waterworks and Liverpool waterworks." The date is 1847. Section 9 says: "And be it enacted, that the mayor, aldermen, and burgesses shall, and they are hereby required, notwithstanding anything hereinafter contained, to purchase the waterworks, land, machinery, and other property, rights, and privileges of both the said companies in manner aforesaid before supplying water for other than public purposes; and if the price or consideration shall be determined by arbitration, the arbitrator or arbitrators or umpire shall exclude all considerations of actual or supposed depreciation by reason of the powers given to the mayor, aldermen, and burgesses or the council by this Act."

Chairman.] I thought you were not going to take this witness over this Liverpool case.

Mr. *Rickards.*] My learned friend asked for the reference to the Act.

Mr. *Gerald FitzGerald.*] I only wanted the reference to the Act itself, not at all to the enactment; but now that the enactment has been read it shows the inconvenience of putting precedents before the Committee in this way.

Witness.] Yes, it does.

Mr. *Rickards.*] I am not going to trouble the Committee with the recitals, but they are most material for this enactment.

Chairman.] That can be gone into later.

Mr. *Rickards.*] That can be gone into later, but I understood my learned friend to ask for, and what I wish to help him to is the precedent. There are other sections to which I shall refer hereafter, but, as I have got them here, I may as well mention what they are, so that they may go on the Notes for the convenience of anyone else who may wish to know what they are: Sections 8, 9, and 10, and Sections 125 and 127.

Witness.] Do you wish me to give any answer to that question?

4077. You are certainly entitled to give any answer you like; the answer I have given was in answer to my learned friend here. Do not imagine that I wish to stop your mouth?—If you refer to that as an instance where a municipal corporation or where a town was compelled adversely to the desire of its representative body to purchase a water company, then I say it is not a case of that kind. Of course the circumstances are old, but I believe that was the case of an agreement between the company and the corporation of Liverpool.

4078. The reason why I asked the question is this: As a precedent for an obligation on the municipal authority to buy up the waterworks on arbitration terms if necessary, concurrently with becoming a water authority. That was the object of that question. I am not saying what the attitude of the companies was?—That is the effect of the enactment, of course.

Mr. *Rickards*—continued.

4079. With regard to Glasgow, do you know the Acts there?—Yes.

4080. In the case of Glawgow was there a similar obligation to buy up the waterworks? I am speaking simply of the obligation on the part of the municipal authority to buy up the waterworks?—Do you mean similar to that in the case of Liverpool?

4081. Not similar in all its details, but similar in this respect: Was there an obligation in the case of Glasgow to buy up the waterworks concurrently with their becoming the water authority?—No, I do not think that was quite so; but in the Act of 1855, which authorised the corporation of Glasgow to bring in a new supply from Loch Katrine there were contained provision which, I think, were introduced by arrangement with the two companies then supplying Glasgow, under which the corporation of Glasgow carried out the purchase of the existig companies. I have the Act here, if you want any more particular information about it.

4082. I have not been able to get a copy of it. I have looked it up, but have not got a copy with me here. Perhaps you would kindly let me look at it for a moment? (*The same was handed to the learned counsel*).—If the Committee think the history of that case at all material, I can give them some further information about what took place in 1855; though that again i some time back.

4083. This is the Glasgow Act of 1855; in that case I cannot find the section?—Are you to pay for the purchase section?

4084. Yes, for the purchase section?—I am afraid I have not a reference to the particular section; but the Act does contain provisions for the purchase of the two existing companies then supplying Glasgow or the neighbourhood of Glasgow.

4085. Here it is, it is the 11th section: "On the 15th day of May, 1856, the undertakings of the company of proprietors of the Glasgow Waterworks and of the Gorbals Gravitation Water Company, and their whole rights and privileges, lands, buildings, streams, reservoirs, works, and other property (except any undivided revenue previously drawn by the said company of proprietors of the Glasgow Waterworks), shall vest in the commissioners, subject to the burdens, debts,and obligations of the said companies "shall vest." Now with regard to the next case; the case of Dundee there was a previous agreement, I see, there, between the town council of Dundee and the water company: so I will not trouble you with that case. Now with regard to Huddersfield, have you got that case? I know something about Huddersfield. That Huddersfield Act again transferred to the corporation of Huddersfield the undertaking of the commissioners of the Huddersfield Waterworks, and empowered the corporation to construct additional waterworks and to supply water within extended limits, did it not?—I do not know which Act you are referring to.

4086. The Act of 1869?—I have not the Act before me, but the waterworks of Huddersfield have been in the hands of the corporation for a great many years. I think all the principle works have been constructed by the corporation.

Mr. *Rickards*—continued.

4087. 1868 was it not?—The first of the Acts governing the supply at Huddersfield, I can tell you now, is the Huddersfield Waterworks Act, 1869.

4088. That is the one I am referring to. In the case of Huddersfield was there the same provision in the 1869 Act for the transfer of the existing waterworks to the corporation before undertaking the water supply?—I am afraid I cannot give you any very definite account of the history; I think there was a transfer in 1869.

4089. Section 6. "The undertaking, waterworks, real and personal property, rights and interests of the Commissioners;" that is the water commissioners, the company, I presume?—I think not; I think there was a public body there in whose hands those waterworks were, in 1869, and from which they were by arrangement transferred to the corporation.

4090. The provision is I think: "The undertaking, waterworks, real and personal property, rights, and interests of the commissioners shall be and the same are hereby transferred to and vested in the corporation, to be held, used, exercised, and enjoyed by them as the same would or might have been held, used, exercised and enjoyed by the commissioners if this Act had not been passed"?—Yes, that is the ordinary form of effecting a transfer by an Act of Parliament.

4091. And was that at the commencement of the corporation of Huddersfield becoming the water authority?—Yes.

4092. I see in that Act, and several of the other Acts, which I have not referred to, by-the-bye so far, there is a provision that the defiency in water rates is to be met by the borough rate?—Yes.

4093. That is Section 61?—Huddersfield is a case of what we describe as the municipal system, that is, where the waterworks are owned by the municipality of Huddersfield, and the ultimate charge, in the event of a deficiency is on the rates of the borough of Huddersfield, and not on the adjoining area.

4094. With regard ,to Birmingham, there again the corporation acquired the works before becoming the water authority?—That was so. that is another case of agreement. I am not quite sure, by the way, whether that was absolutely so, or whether I may be mistaken between gas and water, but they both occurred about the same time.

4095. I have the Act here?—In one case there had been a previous agreement, or powers to agree between the parties, which had been actually carried out; and some pressure was brought to bear by an application to Parliament to force the company to complete that agreement for transfer. I cannot remember at the moment whether that was the case of the water or the case of the gas.

4096. I see under the Birmingham Water Act, 1875, a sinking fund was provided for the repayment of the annuities that were granted by the Birmingham Corporation as a consideration for the transfer of the water undertakings of the company of proprietors of the Birmingham Waterworks, as in our Bill?—I do not think there was anything analagous in that case, the

case

Mr. *Rickards*—continued.

case of Birmingham, to your Bill. I think the principle was just the converse in the case of Birmingham.

4097. The point I am on is, whether in any case, so far as you know, a water authority has been constituted, for the supply of its district, or surrounding districts, without the concurrent transfer of existing water undertakings to that authority, be it what it may?—No. As I told Mr. Pope on the last occasion here, I do not think there is any case where a corporation have been empowered at the present time to introduce a new supply (quite a new and independent supply), without purchasing the undertaking of the existing company, where there was such a company.

4098. Now you know the Stockton and Middlesborough Corporation Waterworks Act?——

Mr. *Gerald FitzGerald.*] Is not that a complete answer? Does not that cover all these precedents?

Chairman.] I was going to say——

Mr. *Rickards.*

4099. No, Sir, this is on arbitration terms, this Stockton and Middlesborough. (To the *Witness.*) Do you know the circumstances of the Stockton and Middlesborough Act of 1876?—Yes.

4100. Section 15: "The corporations shall within six months after the passing of this Act, by writing under their common seals, addressed and sent to the secretary or delivered at the principal office of the company, require the company to sell, and the company shall thereupon sell to the corporations all their undertaking, property, rights, powers, and privileges, as the same exist at the time of the delivery of such notice for such considerstion, either in perpetual annuities amounting to eighteen thousand six hundred and forty-seven pounds, the present maximum statutory dividend of the company, or, at the option of the company, for a sum in gross calculated at twenty-five years' purchase of such sum; and, in addition to the sum in gross or in perpetual annuities to be paid to the company, the corporations shall take over and pay the statutory debt of the company at the time of the transfer and vesting of the undertaking in the joint board, and all other the debts and liabilities *bonâ fide* incurred by or on behalf of the company for the time being, and also shall pay to the company a sum for compulsory sale and for the prospective value of the company's undertaking; and if any difference shall arise in carrying into effect the provisions of this section the same shall be settled by arbitration in accordance with the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869." Now do you consider that that Section 15 is analogous in the main (that is to say, the difference is to be settled by arbitration, agreement first; failing that, to be settled by arbitration), to the provisions of the Vestries Bill?—Of course they are analogous, in the sense that the purchase money or consideration was determined there by arbitration, or practically by the Committee on the Bill in the first instance; but in so far as not determined by the Committee on

Mr. *Rickards*—continued.

the Bill it was to be determined by arbitration under the Lands Clauses Consolidation Acts. Of course the Stockton and Middlesborough case is one of very considerable importance if precedents are to be considered in reference to this case, because it is probably more analogous to the existing circumstances of London, or may become more analogous, than any other of the recent Water Acts. The history of that case is, or may be, very relevant to this inquiry. What happened in that case, if you wish me to go into it, was shortly this——

4101. Well, I do not wish you to go further into it; if my learned friend thinks it worth while he can ask you in re-examination.

Mr. *Moulton.*] I shall ask him; therefore we may as well have it now.

Mr. *Richards.*

4102. I think I will leave it to you. (To the *Witness.*) Do you know know anything about the Act called Northwich Act?—I know something about it, but I do not think I can give you much useful information upon it.

4103. Was that a case in which an obligation was put upon the local authority to purchase the existing waterworks?—I am not aware that it was.

4104. Now to take another case, which is not water, but which is nearer home, the purchase of the metropolitan toll bridges?——

Chairman.] I do not think that need be taken, that has nothing to do with the case at all.

Mr. *Rickards.*] There was an obligation on the Metropolitan Board of Works to purchase the toll bridges.

Chairman.] The witness has said in general terms that he is not aware of any case in which a municipal authority has been able to become the water authority without at the same time acquiring either by agreement or otherwise, the existing works. That covers your case, Mr. Rickards.

Mr. *Rickards.*

4105. I will not press that point. (To the *Witness.*) Now I come to another point. You have spoken of the attitude of the various local authorities and petitioners against this Bill in reference to the London county council?—In very general term I did, yes.

4106. In very general terms; I quite agree to that. Are you aware that out of 57 petitions deposited against this Bill, 36 of them objected in terms to the part of the Bill that constituted the London county council the water authority in the alternative?—I should think it is very likely; we thought it not a very adequately considered part of the Bill.

4107. Are you aware that their petitions (because I have the petitions before me) contain distinct allegations, and distinct paragraphs, objecting to the London county council being constituted the water authority?—I dare say that they did; I have not read them all I admit; I have read a great many of them, and I think it is very likely that a number of the petitions contain an allegation of that kind.

4108. It occurs to me to ask you this question

Mr. *Rickards*—continued.

with regard to the consideration of the question whether the London county council should become the water authority or not was a copy of the Parliamentary committee's report to the London county council on the Metropolis Water Bills, that is, the report of the 12th February 1891, sent to all the vestries?—I think so; instructions were given by the council to a clerk to send a copy of that report to the vestries.

4109. Did that report contain a recommendation that the London county council should undertake the water supply of London?—Perhaps it would be better if you ask me what the report stated to have the exact word of it.

4110. Very well. I am not going at length into this, because I shall have to ask Sir Thomas Farrer one or two questions about it?—The Report sets out very fully the general policy which had occurred to the Parliamentary committee to recommend to the council for adoption, and not only the Parliamentary committee but its special committee, of which the Committee have heard.

4111. I do not want to take you through the report, and then to take Sir Thomas Farrer through it, I see they say: "The ultimate conclusions at which we have arrived, and which we recommend for adoption, are as follows:"——

Mr. *Moulton.*] What page is this?

Mr. *Rickards.*

4112. It is on page 8 of this print; I have not got the report itself. (To the *Witness.*) Perhaps you will kindly give the ultimate conclusions arrived at, and the page of the report, to my learned friend?—The conclusions are: "(1) That, the opposition to the London Water Commission Bill be continued and that the Metropolis Water Supply Bill be opposed. (2.) That in the event of the Bills being referred to a Select Committee we should be instructed to intimate to the Committee on behalf of the council that the council approves the principle indicated in this report and is prepared to undertake the question of the water supply of London, subject to the following conditions:—That powers should be conferred on this council for the introduction into Parliament of Bills dealing with the water question, including the establishment of a new supply and the improvement of the existing supplies, should further investigation prove such a course to be desirable, and that the chairman of the council be requested to introduce into Parliament a public Bill with this object, with the view of its being referred to the same Committee as the several pending water Bills." Of course, you can hardly appreciate the whole force of that without going through it.

4113. Will you read the last paragraph?—"That copies of this report be sent by the clerk of the council to each vestry and district board in the metropolis in sufficient numbers for distribution."

4114. What that last carried out?—I suppose it was.

4114.* Therefore, as soon as the report was adopted, which was in February last, the vestries were in possession of the views of the London county council upon the question of the London water supply?—Yes.

Mr. *Rickards*—continued.

4115. As far back as February of this year, or March?—The middle of March, I think. This had been upon the council agenda paper for a week or two before it was dealt with by the council.

4115.* And yet we have 36 local authorities opposing the proposition contained in our Bill by petition before this Committee that the London county council should be the water authority?——

Mr. *Moulton.*] Those are not vestries.

Witness.] You must bear in mind that the proposal is a very different one to the proposal of the London county council, because first of all it is that the hands of the London county council should be tied in a particular direction indicated by the Bill, and that then the newly elected council should have two months to consider whether it would take up the obligations which had been suggested for imposition upon it by the promoters of this Bill.

Mr. *Rickards.*

4116. I can refer to the petitions afterwards; do you deny that the petitions of these 36 petitioners that I have referred to, object in terms to the London county council becoming the water authority?—I dare say that may be so; there are very often paragraphs in petitions which are not subsequently supported, through change of circumstances or change of opinions.

4117. Do you deny this proposition, that as far back as March of this year the vestries had copies of your report of 12th February before them, suggesting that the London county council should become the water authority, and in spite of that, oppose the proposition on petition before this Committee?—No; I should think that probably the petitions were presented before this report reached the vestries; I am not quite sure about the exact dates; you will see from the Votes the dates on which the petitions were presented, and I suspect you will find that the petitions were lodged before the date when his report reached the vestries; besides this ——

4118. At any rate, the vestries have had a considerable time in which to consider the proposition that the London county council should become the water authority; may I say that, as put into your report?—Yes, unless you have any evidence to the contrary. I believe the reports were sent out by the clerk in accordance with the directions of the council.

4119. As a matter of fact, do not you know that that report was printed almost *verbatim* in the newspapers, and has been before the vestries and the public for a long time; the report of the 12th February?—I know that one of the original copies of the report was printed before it was finally adopted, and afterwards, I think, when it was adopted, in some of the newspapers it appeared.

4120. Then we have the proposal of the 12th February before the vestries, and the public as far back as March; now I want to know how long the proposal to constitute a statutory committee of the London county council has been before the vestries?—Well, I forget at the moment exactly to what extent it has been before the vestries in London; of course it could not have

Mr. *Rickards*—continued.

have been before them before it was formulated, and indeed I do not know that it was ever distinctly formulated at all until this inquiry commenced.

4121. What is the date of the agreement with the Corporation of London, the 13th May, is it not?—We have it on the Notes.

Chairman.] The 13th May.

Mr. *Rickards.*

4122. The 13th May; what is the date when the proposal contained in that agreement, that is to say, that a statutory committee of the London county council should be constituted the water authority, was first communicated to any local authority in the county of London?—I do not think that there has been any more formal communication than the announcement of the propositions indicated in that arrangement before this Committee.

4123. Have you not yourself written to a number of local authorities in London on this subject?—I handed you all the letters that were written, all the letters which were written I handed to you last week.

4124. I am coming to that in a minute; it obviously could not be before the 13th because the resolution or agreement had not been come to with the corporation. I see the date of your letters is the 15th May 1891; before we come to these dates further you do not deny that the date of your communications with the vestries was the 15th May last, on this particular point?—No, I do not want to deny it at all; the letters speak for themselves, they are all dated.

4125. I am going to refer to the letters in a moment, but just let us clear the ground a little bit; I take it we are agreed as to this: the first communications with the vestries on the proposal now before the Committee on behalf of the London county council was on the 15th May 1891; is that so; you sent a number of letters off, did you not, on the 15th May?—Yes, I think so.

4126. Why cannot you answer the question; I have the list here?—I know; I handed it to you; that is why I thought you had more information than I had. You have all the letters.

4127. The first communication with the local authorities in London was on the 15th May; is not that so?—No, I do not think it is.

4128. On this proposal of the statutory committee?—I do not think it was, even on that proposal.

4129. Did you simultaneously on the 15th May send out to the vestries of Battersea, Bermondsey, Bethnal Green, Camberwell, Chelsea, Clerkenwell, and so forth (a great number) a circular letter on this point?—Yes, the letter I gave you before.

4130. Did you on the 15th May also send out a communication on this point, that is the statutory committee, the present proposition, to a number of other vestries, the St. Pancras, Hanover-square, Hampstead, Greenwich, Marylebone, and the Lewisham District Board of Works?—Yes.

4161. Did you also write to the vestry of Newington on this subject?—Yes, I wrote to all the vestries, I see, on that day, by directions of the parliamentary committee of the London county council.

Mr. *Rickards*—continued.

4162. Pardon me for correctiug you; I do not want to split words in any way, but as a matter of fact, you did nyt send it to all; you did not sent it to St. James'?—I explained that to Mr. Wilkins personally.

4163. Did you send your letter to Wandsworth, for example?—I think so.

4164. I think not——

Chairman.] We have already had the Wandsworth answer. The Wandsworth answer was referred to, was it not?

Mr. *Rickards.*] The earlier letter, Sir.

Chairman.] I beg your pardon; the circular letter of the 15th May.

Mr. *Rickards.*

4135. On the Bill generally, not on the distinct proposals; I wish to be very precise and accurate about this. (To the *Witness.*) Did you on the same day write to the vestry of Newington, on the 15th May; will you kindly refer to the letter?—I believe I wrote to the vestry of Newington.

4136. I have your letter here; the parts I wish to refer to are towards the end of the letter, perhaps I had better read the whole letter, it will be better: "Dear Sir.—Metropolitan Water Supply Bill, 15th May 1891. I am desired by the Parliamentary committee of the London county council to communicate with you in reference to your letter of the 11th April to the clerk to the council informing him that the vestry are in favour of the above-named Bill"; that is the Vestries Bill, you know?—Yes.

4137. "The Parliamentary committee of the council are desirous of being in a position to state definitely to the select committee when it reassembles after the recess, what are the present views of the vestries and district boards of works generally on the main propositions contained in this Bill, viz.: (1) That for the purpose of managing water supply within the county of London and adjoining area, a new local body should be constituted of persons representing electoral districts; and (2) that this body, when constituted, should in the first instance be placed under absolute obligation to purchase on arbitration terms the undertakings of the eight London water companies, and also of the Rickmansworth Water Company and the Leatherhead and District Waterworks Company. The policy which has been adopted by the London county council is summarised on the accompanying circular.' That is the circular proposing a statutory committee, you know, and various other propositions. "I think that I may say that the first three heads of the printed proposals have been substantially accepted by a large proportion of the local authorities in the area outside the county of London, and that subject to some provisions as to the constitution and powers of the committee of the London county council administering the water supply, this policy has the concurrence of the corporation of the City of London." One question, "A large proportion" of the outside authorities: you had had your meeting with the outside

Mr. *Rickards*—continued.

outside authorities on the 8th May?—A meeting? yes; a conference with the council we had on the 8th May with the representatives of certain of the local authorities.

4138. Fourteen local authorities were represented, I think, outside authorities?—I rather consider that what we have called, I think, the Middlesex deputation, substantially represented the county of Middlesex, and the various sanitary authorities in the county of Middlesex. If you include those, of course, there are a much larger number.

4139. Do you mean by "a large proportion of the local authorities in the area outside the county of London" authorities under the Public Health Act, 1875, or county councils, which do you mean?—I meant both; you see the expression is a general expression; the authorities under the Public Health Act, 1875, are the sanitary authorities; I use the expression "local authorities," which I intended to include the councils.

4140. How many authorities in all were represented at that conference?—You have just told me 14, but I think as a matter of fact you have counted Middlesex as one; I am not quite sure.

4141. Certainly I have?—They are all on the records before you; you can count them up.

4142. I have said 14; I do not mind making it 16, if that will meet your views; do you put it to the Committee that 16 is "a large proportion" of the authorities in the outside metropolitan area?—I put it to the Committee that I had sufficient reason to believe that the policy indicated in those resolutions would have substantial acquiescence on the part of a large number of the local authorities around London.

4143. "Would have"?—At the present moment I have not heard it dissented to by any.

4144. You say "would have," but your words are these: "I think that I may say that the first three heads of the printed proposals have been substantially accepted by a large proportion of the local authorities in the area outside the county of London"?—Yes.

4145. What grounds have you for saying that the printed proposals had been, at the time of your writing this letter, "substantially accepted by a large proportion of the local authorities" outside London?—As I explained in my examination on Thursday, in an unofficial manner, I had had a good deal of communication generally with the professional advisers, and in some cases the members of the local authorities round London; and the result of those communications was to lead me to believe that a large majority of them would support the propositions indicated in that memorandum which has been set forth on behalf of the county council and the City of London.

4146. Then the paragraph of that letter must be altered to a belief that the proposals would be substantially accepted, not "have been"?—It is rather, is it not, cavilling about words.

4147. No, I do not think so at all; here is the fact stated here?—Yes, "substantially accepted"; I considered they were "substantially accepted" in the conference which took place.

4148. Those proposals, and the agreement with the Corporation (which really is the charter of the arrangement between you, the London

Mr. *Richards*—continued.

county council and the Corporation of London), having been signed two days previously to the writing of this letter?—No, I do not think the arrangement between the county council and the City of London had got much to do with the question of whether the outside local authorities would agree to this arrangement or not. As between the county council and the City of London; it is more of a domestic or internal matter, which concerns the county of London itself. The outside, I do not think is, or was, a material element.

4149. I want to know as regards the three propositions of the statutory committee with functions to be defined hereafter, whether you still adhere to the statement that it had been "substantially accepted by a large proportion of the local authorities," outside London on the 15th May?—I am beginning to think you are labouring under a little misapprehension here, which, perhaps I may save you some time over.

4150. Will you answer that question first?—This letter had no reference whatever to any proposition about the statutory committee at all.

4951. You sent a circular, on which you said: "The policy which has been adopted by the London county council is summarised on the accompanying circular;" now listen to me?—Yes, I sent a circular.

4152. Is this the circular: "The following are the principles"?—No, excuse me, I want to save you time; that is not the circular at all.

4153. Will you let me have the circular?—Yes; I think you have it.

4154. Which circular is it, the circular issued by yourself on behalf of the London county council, or the actual agreement with the Corporation of London?—Forgive me for interrupting; you evidently are under a misapprehension. The circular which is referred to in this letter is a different circular from that which you are now discussing. There was a circular sent out to the local authorities for that meeting of the 8th May, and that was the circular which was under discussion at the conference of the 8th May. That was the circular which I sent with those letters to the parties to whom the letters were addressed.

4155. What are the first three heads of that circular, kindly tell me?—They are the heads of proposals for dealing with the London water question. They are all on the Notes more than once.

4156. I should like them again; because the papers are rather confusing?—"One, That the system of water management and distribution as generally adopted at the principal provincial towns would be preferable for application to London and neighbourhood, rather than the establishment of a water trust as proposed by the pending Bill. Two: That the question of the efficiency of the present sources of supply for the future requirements of London and neighbourhood, must be adequately investigated before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies. Three: That the supply of water in eace district in the metropolitan water area, outside the boundary of the county of London, should

Mr. *Rickards*—continued.

should be as far as practicable in the hands of the local authority of such district, and within the county of London in the hands of the London county council." That is part of the circular; and on that I think I may say "that the first three heads of the printed proposals have been substantially accepted by a large proportion of the local authorities in the area outside the county of London."

4157. You think you may say that?—I did say that in the letter.

4158. I am very unwilling to weary the Committee with a long discussion, but can you give me the names of the large proportion of the local authorities? If you can get them out for me, that will be enough?—I can go round them again; I think I did explain it to the Committee. I grouped all the Kent authorities together, taking Kent first.

Chairman.] We have really had this, Mr. Rickards, in Mr. Cripps' examination-in-chief. With the long wand he went right through it. I think we have it in our minds.

Mr. *Rickards.*] That is quite true, Sir; but the proposition I dispute in the "large proportion of the local authorities."

Chairman.] Certainly; you can cross-examine upon it.

Mr. *Rickards.*

4159. (To the *Witness.*) Have you any distinct letter giving adhesion to these heads of proposals from outside authorities?—No; I think I explained to the Committee that the London county council are not in in a position to enter into any agreement of the kind. They cannot assume that powers will be conferred upon them by Parliament that they do not now possess; therefore all these communications have been entirely of an unofficial character.

4160. At any rate we are agree about this; on the question of whether the proposals contained in the first three heads "should be effected by constituting the London county council in the first instance the water authority for the county of London and for the adjoining area now supplied by any metropolitan water company whose undertaking may be acquired by the London county council." On that you agree that the local authorities are not at one with you?—All that is on the Notes.

4161. Cannot you answer my questions. I say we are at one on this?—No, I do not admit it. We have had a good deal of conversation on that, and of course it is obvious that the circumstances of each particular district differ very much from those of others. I think we shall be at one with them ultimately.

4162. Your letter, I see, also says, on the 5th head of proposal here, that the local authorities are not agreed; that is to say, "In the event of the undertaking of any metropolitan water company being purchased, any local authority outside the London county boundary, and within the area of supply of such company, shall have the option either (1) of purchasing on suitable terms, so much of the works of distribution as is appropriated to the district of such local authority,

Mr. *Rickards*—continued.

with the right to a supply of water in bulk," and so forth. That has not been agreed in any way?—In the letter which is the subject of your present question, you see I said, "The fourth and fifth heads of the proposals require special consideration in reference to the circumstances of each local authority." I do not think I could have put it more clearly.

4163. Have you communicated with the vestries inside London the propositions of the London county council at the present time; that is to say, as regards the statutory committee?—No, except in so far as, of course, they are taking an interest in the proceedings in this room, and know all that goes on. I have had no further communication with them. At the date of this letter you will observe there is a sufficient indication of the arrangement which was in contemplation with the City of London. The Parliamentary committee of the council desired that committees and vestry boards should know everything that was going on as far as possible; but there was no definite agreement or memorandum sent to them. It is all on the Notes, so that they know all about it.

4164. Now I come to this statement in your letter: "These proposals have also a considerable measure of support among the local bodies in London, and the Parliamentary committee think that the matter is of such importance as to justify them in asking that you will bring it again specially before your vestry as early as can conveniently be managed." That is still the letter to the vestry of Newington. Is that a correct description of the state of things on the 15th May, with reference to the local authorities inside of London? According to my own interpretation of the letters which we had received, and of the petitions which had been presented, it certainly is the case.

4165. On the 15th May, after you having drawn up your memorandum, and come to a practical agreement with the Corporation of London on the 13th May that the proposals on the 15th May have "a considerable measure of support among the local bodies in London"?—Of course you understand that besides acting professionally for the London county council I do act for a good many of the local bodies in London also, and I have, perhaps, better means than anybody of knowing, from meeting the gentlemen who are concerned in this case, what their views are; and I say, very generally, that the "proposals have a considerable measure of support among the local bodies in London."

4166. That was on the 15th May. Did not you write to the local authorities in London the same day, on the 15th May, in reference to the question?—Yes, all of them. You have taken one particular letter, which was written because I had had a former letter.

4167. I will take them all, if you like?—I do not at all want you to.

4168. I will take one or two others afterwards; I want to put this proposition to you?—You did not let me finish my answer.

4169. No; I wish you to, certainly?—The letter to Newington is in somewhat different terms to the others, because I had had a letter from them, to which this was a reply. To those

Mr. *Rickards*—continued.

from whom I had had no answers, or only a formal answer, I sent a circular letter in the same terms all round.

4170. I want to know what proposals had "a considerable measure of support among the local authorities in London" on the 15th May?—You have them. They are the three printed proposals at the head of that paper.

4171. Was not the 15th May the day upon which you wrote to all the local authorities in London?—Yes.

4172. How could you have got an answer on the 15th May from any of the local authorities to say that they had approved of the principles of your proposal? We have got the fact that you wrote to all the local authorities on the same day, the 15th May?—Yes.

4173. How do you account for this statement in your letter that "these proposals" (which, mind you, you sent universally to all the local authorities at once on the 15th May), how do you account for the accuracy of this statement, that those proposals "have also a considerable measure of support among the local bodies in London," when they were sent the same day?—I do not mean to say the precise terms of the printed proposals, I do not think they had ever seen the printed proposals, but the substance of the proposals, the sense of the propositions, had support among the local authorities.

4174. Then the actual proposals contained in the agreement with the Corporation of London of the 13th May had not been replied upon by the local authorities in London on that day when you wrote this letter, the 15th May?—Of course not; because, as you point out, the letters were written on the 15th May, and obviously they could not have answered them before they received them.

4175. I will put it fairly to you: Do not you think that that statement that on the 15th May the proposals had "a considerable measure of support among the local bodies in London" was calculated to mislead the vestry of Newington into believing that what was proposed to them had been accepted by other local authorities at that date?—I should not have thought so myself.

4176. I confess I should. I see you have written in practically the same terms; do not mistake me, it is a definite issue, that the proposals have "a considerable measure of support among the local bodies in London," to the Holborn District Board of Works, to the vestry of Islington, to the vestry of Kensington, and to the vestry of Paddington. Now I will put it to you, and leave the Committee to decide: Do not you think that was calculated to mislead the local authorities and to induce them to think that their neighbours were in actual agreement, and had an actual agreement before they had had time to do so?—No, I do not think so at all.

4177. You are the draftsman of that memorandum which was handed in, the memorandum which states the position of affairs at the present time?—I gave as much assistance as I could to the gentlemen who wished it prepared, with a view to giving effect to their instructions.

4178. You do not suggest that it is exactly in accord with the agreement with the London

Mr. *Rickards*—continued.

county council, do you?—Yes, I think so. Perhaps I may explain that it was intended to put the actual result of the arrangement in an intelligible and popular form, assented to by Mr. Goldney, as the Remembrancer on behalf of the City, and by myself on behalf of the London county council. I think we both of us thought it adequately expressed the arrangement; but Mr. Goldney and his friends subsequently preferred that the precise form of their own memorandum should be before the court of common council. I think it exactly expresses the arrangement.

4179. Perhaps I should not have occupied the time of the Committee by asking the question, because I have both documents before me and can compare them.

Mr. Moulton.] You must remember that that agreement is not exhaustive.

Mr. *Rickards.*

4180. I am quite aware of that. (To the *Witness*). Then may I take it with regard to the inside authorities as well as the outside, that you have no exact approval of a statutory committee as proposed now?—I have not been instructed by the London county council in any way to canvass the vestries or district boards.

4181. But you have done so according to your own statement?—If you will forgive me, I merely sent a circular letter to them, without any indication of any sort or kind, asking their views. To those who replied to that circular letter in any particular form, I thought it only due to answer; but I have had no communications with them with a view to influencing them in any way whatever.

4182. Do you mean to say that those letters did not ask the opinion of the local authorities upon the proposals for the Bill in respect of the statutory committee?—Well, no, I do not think the question statutory committee was directly in those letters at all.

4183. It does not give the statutory committee here. I think you are right there?—What was said was this, that, "subject to some provisions as to the constitution and powers of the committee of the London county council administering the water supply, this policy has the concurrence of the Corporation of the City of London." That was said to them. I have never attended a meeting of any of the vestries or district boards, or anything of that sort, or argued the matter in the least.

4184. Do you mean to say that the object of this letter was not to obtain the opinions of the vestries upon this question?—That was the object. The London county council were very anxious to act, as far as they possibly could, in accord with all the local authorities of London and the neighbourhood, and they were anxious to see, if they could, whether the vestries had really considered the two important propositions of your Bill, and what the formal views of the vestries were upon them; and with that object are directed to communicate with the various local bodies.

4185. Very well, I will ask you no more——

4186. Let

Re-examined by Mr. *Moulton.*

4186. Let me go to this last part of the cross-examination first. I believe you have a great deal to do with many of the local authorities in London, the vestries, have you not?—Yes.

4187. And you have a good deal of acquaintance and conversation with their members?—Yes.

4188. Taking one of the main points of difference between the London county council policy and that of the Bill, namely, that the supply of all this irregular outside area should be in the hands of a central trust; do you think that that does command the support of the vestries generally of London?—I doubt whether that particular proposition has been, as I should describe it, adequately considered and thought out by, at all events, a great many of them.

4189. Do you know anything which would lead you to suppose that the vestries are eager that the supply of the large areas should be kept together?—I do not suppose that the vestries and district boards in London are anxious to compel the London county council to supply all that area, or that any London Trust should be formed for the purpose of supplying that area, if the supply of the outside area can be efficiently and properly conducted otherwise.

4190. Now let me take the outside areas; have you, as far as you could, communicated with persons who, you think, give the opinions of those outside areas?—Yes; the learned counsel was referring to the county of Middlesex, amongst others. It happens that the chairman of the Middlesex county council (of course, we are in the habit of meeting here) takes a great interest in local affairs. I think he is also chairman of the local board of Southgate, and he takes great interest in all the affairs there, and so far as Middlesex is concerned, my communication was rather confined to conversation with him, and I rather regarded him as expressing the views of Middlesex generally. I have generally found that those districts attach a great deal of importance to his advice and act upon it, therefore, I did not go to each gentleman individually. Of course, there are some of them that I went to individually.

4191. So far as you can you have taken the best steps to ascertain the opinions of the areas?—So far as I felt I was able to approach these gentlemen in the present condition of affairs, I have done so.

4192. Taking that same point of policy, do you think the outside areas with the whole supply of this area to be kept in one hand, or would they rather supply themselves?—I fancy that all the way round the principle of placing the water supply in the hands of the municipal authority commends itself to them.

4193. Next as to the question of considering an alternate supply; the possibility and the advisability of it. Before the actual bargain is either come to or forced on anybody, do you think that is a point in which there is any feeling against the views of the county council, either inside or outside the area of London?—It is rather a strong thing to say they are all absolutely unanimous, but I have not heard a single objection to the proposition, except from Croydon, which, as we explained on the last occasion, is in very peculiar circumstances. I believe that the whole way round London and throughout London within, there would be found a prevalent idea on the part of the local authorities, that the question of the investigations of a new supply is one which ought to be taken up very seriously in the first instance.

Mr. *Moulton*—continued.

4194. I do not think we need reiterate it, but taking that up would not preclude ultimately the purchase of the companies, but you consider it a necessary condition precedent to arrange the matter?—Of course, so far as the London county council are concerned, as you are aware, they are at present not in a position for the want of statutory powers, to deal with the matter in any way. All they want is to be placed in the same position as other municipal corporations, who are empowered to submit to Parliament such propositions as they may consider prudent for Parliament to deal with.

4195. Will you kinkly look now at the report of the Parliamentary committee of the London county council, to which you referred to.

Mr. *Rickards.*] Mr. Bolton, I am going through this report with Sir Thomas Farrar. I do not think it is necessary to go through it with the two.

Mr. *Moulton.*

4196. Nery well. (To the *Witness*) I will just ask you one question about it then. You are asked as to this phrase on page 15, that the London county council "is prepared to undertake the question of the water supply of London, subject to the following conditions"; that was, that they should have the power of introducing Bills. Do you know whether that phrase "to undertake the question of the water supply of London," was carefully chosen. Does it mean to undertake the water supply of this area in any sense?—I think you will see that the whole suggestion really is, that they were proposing at once to undertake seriously the consideration of the whole of the subject upon the lines indicated in the report. Perhaps I might explain that under the rules of the council it is necessary that every report should conclude with a recommendation, so that it may be adopted or negatived, as the case may be. Therefore the recommendation, put shortly, is, that the committee should be instructed to intimate that the council approves the principles indicated in the report. Therefore it comes to this, that you must go back to the general sense and tenour of the report to see what it was that the council undertook.

4197. Now let me go to some of those subjects that were touched upon in the previous parts of the cross-examination. First as to Glasgow. Is it true that Glasgow was compelled to purchase any water undertakings whatever?—Oh, no.

4198. Is it true that any municipal corporation has been compelled to purchase any water undertakings against its will?—I can find, in looking into the history of the case, no authority for any such proposition at all, or that any town has been compelled to purchase.

4199. Stockton and Middlesborough have been referred to. Will you just tell the Committee what the facts of the case were?—I can do it, I think

Mr. *Moulton*—continued.

think, very shortly. The existing companies supplying Stockton and Middlesborough were supplying water from the Tees with which a considerable section of the inhabitants were very much dissatisfied. The inhabitants requested the water companies to go further afield, and introduce a purer supply. That they refused to do, because they said that in their view the Tees water was quite good enough for Stockton and Middlesborough. In those circumstances, the water supply being admittedly deficient, the companies introduced a Bill authorising them to get a further supply of water from the Tees. The corporations introduced a Bill authorising them to get an independent supply of water from further a-field. The corporations included in their Bill a power to purchase the undertakings of the companies compulsorily, so that that was a case, as Mr. Pope put it to me the other day, of competition combined with purchase. That was strongly resisted by the companies; but on all the facts of the case, the Committee in the first House passed the Bill. They invited the company to stop and settle the terms on which their undertakings should be transferred, but the companies said they would prefer the chance of opposing the Bill in the next House. The Committee themselves formulated clauses, to a certain extent at all events, setting out the terms, settling the principles on which a compulsory transfer should take place.

Mr. *Bristowe.*

4200. That was the Committee of this House that recommended terms?—The Committee of the House of Commons, Sir, did the best they could in the absence of the companies. The companies retired with a view to opposing the Bill in the next House, and the Committee formulated the principles on which an arbitrator should act in determining the compensation to be paid to the water companies.

Mr. *Moulton.*

4201. And those were accepted by the municipality?—The municipality were the promoters of the Bill. It was their own schemo. They were before the Committee engaged in adjusting these clauses with the Committee. When the Bill came up to the House of Lords, the companies again opposed, and opposed vigorously, but the House of Lords confirmed the bargain; and then, of course, at last, the companies took part in the discussion upon the clauses, with the view of making them as beneficial to themselves as they could. Both the Committees, I think (you will find it in the Evidence and the Proceedings) were of opinion that the terms there were as liberal to the companies as anything possibly could be. That is obviously a case which might be analogous to London, assuming that after investigation a considerable section of Londoners thought that a new supply was necessary, that the London companies refused to go for it, and that a Bill were introduced by London for an independent or competitive supply.

4202. If I understand you, in that case the question of an additional supply was actually

Mr. *Moulton*—continued.

brought before the Committee by a municipal authority, who also sought powers to purchase?—Yes, the corporation there had developed a scheme of their own for the introduction of what was considered a better water from a different source altogether. They had their plans and sections prepared, and sought powers to take this new water, construct new works, and bring a new supply into the towns. At the same time they had a clause in their Bill which compelled the company to transfer its own existing privileges on arbitration terms.

4203. Has the London council, as the law at present stands, power to bring such a Bill forward?—No. At least when I say "No," it depends upon a legal question, the interpretation of Section 144 of the Act of 1885, the Metropolis Management Act; and like many other legal questions, there is a certain amount of difference about it amongst high authorities. It is doubtful at all events.

4204. It is doubtful whether it has power?—It is so far doubtful that I do not think——

Mr. *Rickards.*] The Queen's Bench has decided that it has not, and that decision has not been appealed against. Mr. Pope alluded to that.

Mr. *Moulton.*] I think you will find it is not so, but I am not sure.

Witness.] I always accept with great deference the suggestions of fact which are made by counsel in these rooms; but I am not myself aware of the circumstances which Mr. Pope mentioned. I rather think he is mistaken, as a matter of fact. I can tell you this, that the Metropolitan Board of Works were advised by some of the very best authorities of the day that they had a perfect answer to the surcharge, and that they were quite right, but they preferred to take the shorter course of asking Parliament for an Indemnity Act.

Mr. *Bolton.*

4204*. The county council accept the position that they have no power, do not they?—I think so, Sir.

4205. It is not worth while discussing it, therefore?——

Mr. *Moulton.*

4206. That is it exactly; they accept the position; if you remember the Indemnity Act recited that there were doubts about it, and they have accepted the position ever since; they do not wish assistance to challenge that again?—It is not necessary to go into the law of the subject; but I have a very long and a very authoritatively signed opinion here, which is altogether adverse to the view expressed by Mr. Pope.

4206*. Is it the proposition of the London county council that they should be put in the same position as the Stockton and Middlesborough corparation was with regard to bringing in a Bill?—Yes; that the doubts as to their power of bringing in such a Bill should be removed, and that they should be in the same position as other municipalities.

4207. There was some suggestion that you had said that the London county council had not time for such important business; when you referred

Mr. *Moulton*—continued.

ferred to that, did that refer to the short time that they have had any power for investigating the water question, or generally that they had not time to deal with it?—I think I explained that to Mr. Pope. He put an interpretation upon a chance expression of mine which certainly it was never intended to bear. What I intended to say was that having regard to the fact that the council was only authorised last year to inquire, having regard to the fact also that the reports of the experienced gentlemen whom they had consulted are not even yet ready, that they have not at the present moment had time adequately to consider the matters which they were required to consider under the Act of last Session, the materials on which alone they could arrive at a sound conclusion have not even yet come before them.

4208. You have had great experience in such inquiries; do you think there has been any laziness, or sluggishness, or dilatoriness on the part of the county council in this matter?—I do not see how they could have done more than they have done. They at once took the matter into consideration. They at once gave instructions for acting under that section, and, as a learned sanitary authority said to me only this morning, the question of the Thames is a subject that requires a year's consideration on the part of anybody; very close investigation must be made before it can be determined whether it is desirable to make London purchase those Thames water undertakings.

4209. Mr. Pope suggested that there were certain difficulties in the way of the London county council having the powers of the water authority for the area of London; the first was the Borough Funds Act; does the Borough Funds Act apply at all to London?—I should like to say on that, I am a little deaf, and I did not quite catch one question of Mr. Pope's; but I made an obvious mistake in answering his question upon that point, which, if the Committee will pardon me, I shall be glad to put right. It is at Question 3917. I had said, in answer to 3916, that "all other municipal corporations have the power for waterworks purposes" (that is, the power to introduce Bills), "and a suggestion is that the London county council should have the same power." On that Mr. Pope said, "subject to an appeal to their constituents under the Borough Funds Act;" and I replied, "Subject to an appeal to their constituents." I thought that Mr. Pope said, and that I replied, "Subject to an appeal to their constituents," but I find he introduced the words, which I did not bear, "Subject to an appeal to their constituents under the Borough Funds Act." Nobody ever suggested that it would be possible to apply those provisions of the Borough Funds Act which apply to a poll of the ratepayers to the county of London. The actual cost of that business would probably far exceed the whole cost of the application to Parliament.

4210. The other difficuly was with regard to the county council not being a street authority. In the first place, is the power of breaking up streets for water pipes vested in the streets authority, or is it vested in the water authority?—It is vested in the water authority; in the

Mr. *Moulton*—continued.

water company. Of course, coming from Mr. Pope, I presume it must be considered a very important matter, but I fail to see altogether what it has to do with the question, because at the present moment the streets are broken up in the ordinary way by the water company in each district for the purpose of supplying water, and whether you transfer the waterworks to a water commission or to the county council, of course the same result must happen, the streets will be broken up still; the only difference will be, that if the power is given to a water commission you gain nothing at all, because the water commission, like the company, is a foreign body having nothing to do with the supply of water, whereas if the power is transferred to the county council it is transferred to a body which already for various purposes has considerable jurisdiction over the streets, and power to break up the streets for drainage and sewerage purposes, so that if you transferred these powers to a water commission you would in no way diminish the number of authorities with power to interfere with the streets. If you transferred that power to the London county council, on the other hand, you would diminish the number of authorities having power to break up the streets by one.

4211. There is only one other matter I want to refer to, that is with regard to these letters.

Mr. *Rickards.*] I really think on a legal point like this Mr. Cripps should be asked this question: Whether the water authorities, when they take up the streets, the water companies are not subject to the control of the vestries? They have to give notice, and they have to submit plans of works, and so forth. On a legal question I am sure that my learned friend would not wish to withhold anything from the Committee. The power of the water companies to break up the streets is subject to the control and the approval of the plans by the vestries.

Mr. *Moulton.*] It is subject to control by the vestries, but it is an absolute power to break up. They have not to ask leave of anybody.

Mr. *Rickards.*] They cannot do it without asking leave.

Sir *Henry Roscoe.*] They have to give notice.

Mr. *Moulton.*] They must have notice, but they have an absolute right to do it.

Sir *Henry Roscoe.*] They do not ask leave.

Mr. *Moulton.*] No, they do not ask leave.

Witness.] The present power is of course a very unsatisfactory one, and no doubt it would be a much simpler matter if those powers were in the hands of the London county council instead of in the hands of the companies. It would not simplify matters if those powers were given to the new commission. The commission could only have just the same powers as the water companies.

Mr. *Rickards.*] That I quite admit.

Witness.] As they are unsatisfactory now they would be even more unsatisfactory then, because a water company is a body on which a certain amount of pressure can be brought to bear, but this big trust would be practically unassailable and unapproachable.

Mr. *Moulton.*] If it was in the hands of the London county council, you think it would be more satisfactory because they are already a street authority?—At the present moment they have the power of breaking up the streets, at all events for laying drains and sewers, and if that were combined with water supply you would have one body having power to break up the streets for drainage and waterworks purposes instead of two separate bodies.

4212. Now as to those vestries; I believe you have not been instructed in any way to canvass the vestries except just by writing those letters?—Not at all. They are said to have committed themselves to the policy of a Bill which certainly does not recommend itself to the London county council, so that unfortunately, so to speak, we are on opposite sides of the table, or are said to be; but we do know that a good many of the vestries take the view which perhaps I had better say is indicated in those letters without attempting to put any interpretation upon it.

Mr. *Rickards.*] I deny the interpretation alogether.

Witness.] The whole of the letters show plainly enough that the vestries generally are in favour of transferring the water authority to a public representative body. It is with that object that they are in favour of the Bill. Many of them refer expressly to the fact that the Bill itself contains provisions under which the London county council might take over the supply. In some of the cases, in fact, as to the precise merits and demerits of the proposal, whether theer should be a commission or the county council, a good many of the vestries do not appear very much concerned themselves.

Mr. *Moulton.*

4213. Do you think that the vestries have either the machinery or the time for investigating so difficult a question satisfactorily?—Of course they have not the same means that the London county council have, though even those are not as complete as they might be. The London county council have all the records, and, I should perhaps have added, the City of London too. Of course the London county council and the City between them have a vast mass of recorded information and evidence available on this matter, reports, evidence of engineers, and various proposals. Those would not be accessible to the individual vestries.

Mr. *Rickards.*] They are open to us. We can read the reports, I suppose.

Witness.] There has been no application so far as I know at the offices at Spring-gardens for the examination of the recorded information there.

Mr. *Moulton.*

4214. And you have no knowledge of any steps being taken by these vestries as it were to investigate into the subject?—No, of course, I have only the information which was given to the Committee.

Mr. *Rickards.*] Can he answer for the vestries at large? He is not an officer of the vestries.

Witness.] Some of them.

Mr. *Moulton.*] You have not shown an investigation of anything of the kind in one case. I may say, Sir, there are certain petitions which are alleged to be in favour of the Bill. I do not propose to ask Mr. Cripps about them or to take him through them before the Committee. I shall be able to refer to those.

Mr. *Rickards.*] Not to the terms of them, according to the usual rule.

Mr. *Moulton.*] I can put them to the witness; and I thought I might refer to the terms of them to show to what extent they support the one policy as against the other.

Witness.] I alluded to one of them particularly on Thursday last, because it was a petition which was referred to in the reply from the vestry as "thoroughly approving the principle of the Bill." It turned out that one of the principal paragraphs of the petition went to the inconvenience which would result from the establishment of a newly elected body in London and new elections. To us it seemed that it was against the Bill instead of in its favour.

Mr. *Rickards.*] Are you speaking of the Wandsworth petition? That is against alterations.

Mr. *Moulton.*] There is Hammersmith, for instance?—The Hammersmith resolution is that the supply should be in the hands of one central authority. I read that as being equally applicable to an existing local authority or to a new body.

Mr. *Rickards.*] I must take this objection, Sir. It is not usual in these Committee-rooms, and I speak from some little experience, to refer to the terms of petitions in favour of Bills because the Committee have them before them, and therefore are able to judge of them. I do not wish to take a technical objection, but I think it is a waste of time in this case. That is, as you know the practice up here, you may refer to the existence of a petition in favour of a Bill, but you cannot refer to the terms of it. According to the practice, you are not entitled to refer to the terms. The Committee are taken to be seised of the terms of the petition in favour.

Chairman.] Do you mean that a witness is not to be asked about the petition?

Mr. *Rickards.*] I have never heard it done, Sir, and I have often heard it objected to.

Mr. *Moulton.*] These are petitions in favour of this Bill, against that which we submit is the right course to take; and it is very strange we should not be allowed to say that the petition does not touch the point.

Mr. *Rickards.*] I have nothing to conceal in the matter. I only say it is the practice, and leave it to the Committee to decide.

Mr. *Moulton.*] I should have thought that the simplest way would be to allow me to refer to it.

Chairman.] I should have thought it sufficient for counsel to refer to it in his speech, and I should have thought that that would be in order. It is desirable that the Committee should have their attention drawn to any power that is thought desirable by the other side, and I do not

not think we should be too strict in excluding anything.

Witness.] Upon that point I might be allowed to explain that when I said that there were only two or three vestries, as I thought I put it distinctly, opposed to this Bill, I did not at all mean to suggest that all the vestries were opposing or that a large number of them were opposing this Metropolis Water Supply Bill. What I intended to refer to was the exact position assumed by the London county council as set before this Committee several times over. I intended to observe that on looking closely into all the petitions of all the corporations I could only find two or three of them which were distinctly opposed to the principle advocated by the London county council.

Sir THOMAS H. FARRER, is re-called; and further cross-examined.

Mr. *Rickards.*

4215. I HAVE not to be very long with you. I take it we are agreed on this point: that you are in favour of a central authority being substituted for the water companies at the present time?—Yes, I think so.

4216. And, provided it is advantageous, are in favour of the amalgamation of the different companies' undertakings that they do acquire, in the hands of the same authority?—Yes, so far as regards the area within the jurisdiction of the county council.

4217. Of course the central authority working it as one undertaking?—Yes.

4218. Are we at one on this point; that the existing machinery of distribution should be acquired by the central authority?—Yes, I think so; provided always that it does not prove more convenient at the period of transfer to transfer it to some local authority outside, that desires to have it.

4219. But I mean with regard to London itself; you would not propose, would you, to lay down fresh mains, and not to utilise existing mains that are under the streets?—Certainly not. Under extreme pressure there might be circumstances under which it would be the duty of the central authority, even to lay down competing mains; I do not think it likely, but I wish to reserve the possibility of such a thing.

4220. Have you considered whether that difficulty of insufficient pressure could be met by a junction between the mains of the companies?—I am not speaking of pressure of water; I am speaking of financial pressure.

4221. However, I take it, as a general proposition, you would not propose to duplicate the mains in the streets?—Not if I could possibly help it; I do not say it is impossible. I believe our engineer will tell you it is not impossible.

4222. I do not think I should contend that anything was impossible to Mr. Binnie, or to any other competent engineer, if he had plenty of money behind him; it was on that assumption I suppose that the London county council passed the resolution to enter into preliminary communications and negociations with the companies for the transfer of their undertakings?—Under what impression?

4223. It was with a view to purchasing the existing machinery of distribution, that the London county council passed the resolution that negociations should be entered into, and that communications should be entered into, and that communications should be made to the water companies, to see whether they would transfer their undertakings?—I do not think in that resolution there was any distinction made between machinery of distribution and source of supply.

Mr. *Rickards*—continued.

4224. I see the resolution I refer to is in the "Deferred Report of the Special Committee on Water Supply and Markets"?—Will you give the date of the report?

4225. The 30th September 1890: "That the committee be authorised to enter into tentative negociations with the water companies for the purpose of ascertaining upon what terms the companies will be prepared to dispose of their undertakings to the council in the event of Parliament empowering the council to acquire such undertakings"?—Yes.

4226. So far, therefore, we are at one; do you also agree with me (I think you have said it) that none of the existing sources of supply should be overlooked or parted with by the central authority?—Not if they are valuable and useful sources of supply. I have not said that some of them may not prove insufficient, or that some of them may not prove improper, or that some of them may not prove to be better applied to local purposes. I wish to reserve myself from being supposed to say more than I do.

4227. I do not wish to trip you up over words, but I understood you to say, in answer to Mr. Pember, that you were in favour of the present sources of the new water authority, the London county council, being put in possession of the present sources of supply, and that you certainly would not abandon any of the present sources of supply; that is to say, that you would utilize them, if necessary?—Provided they are good and appropriate.

4228. I see the answer I refer to is, that it is quite clear that the London county council, or whoever it is that manages this water supply, will not give up any of the sources which are at present in the hands of the water companies which are necessary for supplying London with water?—Yes, I think that is so.

4229. So far we are at one. I see that in answer to my learned friend Mr. Pember you say that you have no doubt eventually the water authority (the London county council for the moment, according to your proposition, you know) would have to acquire the undertakings of the water companies?—I think so probably.

4230. Have you looked at Mr. Wilkins' figures with regard to the increased market value of the stock of the water companies?—Yes.

4231. In proportion to the new capital issued?—I know those figures generally; I do not remember them accurately.

Mr. *Richards*—continued.

4232. I have compared them with your own in your article in the "New Review" on the the water supply of London of last March, and I find they are the same figures?—They are probably taken from the City report and from the tables and calculations put in by Messrs. Lass, the accountants, who gave evidence before the City of London committee. I think they are probably both taken from that source.

4233. They are; then I take it we are at one on this, that sooner or later the water authority will acquire the undertakings of the water companies?—I hope so.

4234. And that the market value of those undertakings is increasing out of proportion to the amount of new capital issued?—If you mean by "market value" the value on the Stock Exchange ——

4235. That is what I do mean?—If you mean that, yes.

Mr. *Bristowe.*

4235*. There is no other market value, is there, Sir Thomas?—I do not know exactly what "market value" means.

Mr. *Rickards.*

4236. It means the money market, I take it, does it not?—To say that the market value is the value which London is to give for the water undertakings is a totally different thing.

Mr. *Bolton.*] "Market value" is, value on the market where the goods are dealt with.

Witness.] It is the value in the market where the shares of the companies are sold.

Mr. *Rickards.*

4237. Exactly; there we are entirely agreed; and we are also entirely agreed about this, if you will allow me to agree with you, that we do not propose to take market value as a basis of what an arbitrator should give?—I am very glad to hear it. Would you mind, while I am on this question, in order to dispose of it; my reading to you the short sub-paragraph which gives directions to the arbitrators as to how they are to assess the value of the undertakings of the water companies?—I read it myself, I think, your amended paragraph.

4238. Our amended paragraph?—Yes; I think I read it myself.

4239. At the risk of boring the Committee, let me read it once more, with the amendment; it is on page 8 of the Bill.

Chairman.] Do not read it again, Mr. Rickards, please.

Mr. *Rickards.*] Very well, Sir. I do not wonder at your asking me not to read it.

Chairman.] We have got it before us.

Mr. *Rickards.*

4240. (To the *Witness.*) Do you know that the words we have employed in our amended clause were taken from a suggestion of your Chairman in the House of Commons on the 20th March last?—No; I do not know where you got them from.

4241. I have here Sir John Lubbock's statement, when this Water Consumption Bill was before the House on second reading; or, rather,

Mr. *Rickards*—continued.

an instruction moved by Mr. Ritchie. Sir John Lubbock remarked that he would like to ask the President of the Local Government Board whether, under the instruction as framed, the Committee would be able to inquire into the efficiency, condition, and value of the works, and if not, whether he would introduce words to that effect. Now, does not it strike you that there is a strong family likeness between those words and the words we have put into our amendment?—I think it is an extremely different thing, suggesting that this Committee should have power to inquire into these large subjects, and putting a clause into a Bill to say that an arbitrator should fix value according to the result of those inquiries. Those are two very distinct things, and I do not think you can quote Sir John Lubbock as any authority for your Bill.

4242. Now I want to ask you this: Do you consider it right that the arbitrators in assessing the value of the compensation, should have regard in buying up the undertaking of an existing water company to the adequacy, both as regards the quantity and the quality of the water derived from the sources of supply from which such company takes its water. Do you think that is a proper thing?—If you will leave out the word "arbitrator," my whole evidence has gone to show that that is the most important question to be considered; leaving out the word "arbitrator," you know.

4243. Yes, you think, and I do not disagree with you at all, that it would be very proper for this Committee, I say it with great respect, to regard to such considerations itself. Do you consider that when it comes before the arbitrator, the arbitrator should assess the compensation to be paid for a water company's undertaking without having regard to the source of supply, and the adequacy of them?—I have never said that.

4244. Do you think it is proper that an arbitrator should omit from his calculations the question of whether the works were in a proper working condition?—If he did omit it, his award would not be worth the paper it was written upon.

4245. I entirely agree with you. Are there any such questions, imagining they are proper questions to be left to the arbitrator, to be taken into consideration by him in assessing the compensation payable to the water companies. Are there any other suggestions you would make to the Committee as to what the arbitrator should take into consideration?—I have not suggested that the arbitrator should take anything into consideration, because I have been contending throughout that the arbitrator cannot decide any such questions.

4246. Do you contend that the arbitrator cannot examine, for instance, the worth of the companies, and see whether the pipes are in good order; whether they are leaky and rusted through, in the case of iron pipes, and so forth, whether the pumping machinery is in good order, and so forth?—It is possible he might do that; but you have heard my evidence to very little purpose if you have not understood that I think no arbitrator can take into consideration, or can ascertain what will be the cost to London of a new supply; and that

Mr. *Rickards*—continued.

that is a question whtch has to be determined before we can tell what ought to be given to the water companies.

4247. You forestall an idea which suggested itself to me; that was, that no one could tell?—At this moment, certainly; no one I have been in communication with can tell that.

4248. Do not imagine, if you please, that I wish the arbitrator to decide from what source the new water supply should be taken?—I am very glad to hear it.

4249. What I do suggest is, that the arbitrator should take into consideration whether the company whose undertaking is going to be acquired has sufficient water to draw upon for the immediate future, or whether they will have to expend a large amount of fresh capital, to go to fresh sources; that is what I wish the arbitrator to take into consideration?—And if so, what amount.

4250. Let me, before I leave that question, ask you this: do you suggest that a Committee of the House of Commons should assess the amount of compensation payable to a water company in respect of its undertaking?—I cannot tell you how I should assess it yet, because we have not yet arrived at that point.

4251. Cannnot you give me some idea; you know you come to criticise our Bill, and we are rather between the devil and the deep sea. I beg your pardon; I do not make any personal insinuations. I want to know: Is it Parliament or is it an arbitrator that is to assess the compensation to the water companies?—It depends upon the terms they are to be bought upon. I think it is for Parliament to lay down terms upon which the arbitrator is to assess; if the arbitrator is to assess the value at all.

4252. I ask you upon that: Do you object to these terms of direction?—Yes, I do; because I do not think any arbitrator can act upon them.

4253. Now I must take the other alternative: Do you think the Committee of Parliament can assess the compensation?—It is not for me to draw your Bill; we have no Bill for purchasing the water companies before this Committee or before Parliament.

4254. That I am thoroughly aware of?—When we have one, then I shall be prepared t o defend its terms; but it does not rest with me to amend your Bill.

4255. You know that I am in this position: you are criticising my Bill, now I want to criticise your scheme?—But we have not got a scheme, and the very essence of my case is that we are not ripe with our scheme.

4256. I know that?—The first thing we have to do is to get rid of yours, then you shall have ours.

4257. That I am thoroughly aware of; and for that purpose you have shaken hands with the Corporation of London, who brought in a Bill of their own, which was in opposition to your Bill; is not that so?—We have not got a "Bill."

4258. No, but you have got a Bill which has passed the first reading, that we have heard a good deal about?—But that has not got "a scheme"; it only puts us in a position to frame one and bring one before Parliament.

4259. I think the London county council also petitioned, did not they, against the Corporation of London Bill? Yes, because we did not like that large constituency outside, which the City have now given up themselves.

4260. There are one or two other reasons, perhaps; however, to begin with, I think you did not quite agree with the Corporation of London, as to from what point of view you should approach this subject, did you? I mean to say the purchase of the companies?—I do not think there has been any division of opinion between us upon that subject; on the contrary.

4261. Of course you have heard of the inquiry by the county purposes committee of the Corporation of London last October?—I have not only heard of it, but read it.

4262. Do you remember these few words in it: "The first question has been for the consumers to become emancipated from the control of private capitalists having vested interests, and for the supply to be placed in the hands of a public authority." You think that is the second question, do not you?—I think so; but I think you will find other matters there. I am speaking now from memory, I have not their report before me, but I am pretty sure that their Bill provided, that the body they propose to constitute should have power to bring in Bills for a new supply; but your Bill does not you know.

4263. You know that this report was adopted by the Corporation of London, and upon it their Bill was introduced, do not you?—Yss, I was rather going by their Bill than by their report.

4264. And their Bill was for the constitution of a water trust representing all the watershed area of the Thames; you know that?—Yes, that I am quite aware of.

4265. And their report, I take it, is their view, inasmuch as it was adopted by the Corporation of London. Their report was to the effect that the first question (I will hand this up; I do not want to take any advantage of you) has been for the consumers to to become emancipated from the control of private capitalists having vested interests: those are the water companies I take it?—I think you would be putting the thing more fairly before the Committee if you took the present views of the City and of the county council.

4266. The views of the county council have not been the same throughout; this is an exceedingly difficult and complicated question; and I do not hesitate to say myself that I have changed my own opinion about it since I first began to look at it; and a great many other persons have changed theirs.

4267. I want to know what your opinion is; a little history is instructive?—I should be very sorry to inflict my views and ideas upon the Committee.

4268. This is the county purposes report, page 11?

Mr. *Russell Griffiths.*] Page 5, "the first question has been," not "will be."

Witness.] That is a fact.

Mr. *Rickards.*] I said that before.

Mr. *Russell Griffiths.*] You are putting it to the witness.

Mr. *Rickards.*] Mr. Griffiths, my position is that they have found that that has been in other cases done, and they propose therefore that the first thing to be done is to get your authority.

Mr. *Russell Griffiths.*] That is only narrative.

Mr. *Rickards.*] Now there is something that is not narrative on page 11, to make it as short as I can: "It is manifesst," &c., reading down to "by the blue colour." That of course applies to the whole of the metropolitan water area.

Mr. *Russell Griffiths.*] No, to the watershed of the Thames and the Lee.

Mr. *Rickards.*

4269. Then I am mistaken about that. (To the *Witness.*) Are we agreed upon this: that with regard to the outside authorities, circumstances vary enormously?—Very much indeed.

4270. Are we agreed upon this: that, before the water authority had tried working the undertakings of the companies, or such portion of the undertakings as they acquired, in their own hands, it would be very hard to say what they could part with and what they could not?—I have already told you it would require a great deal of inquiry, and discussion, and negotiation, before the proper and complete plan could be produced.

4271. Would not it require a little practical experience too?—Yes, that is a difficulty either on the part of the London council or the City, and a still greater difficulty on the part of such a trust as you propose to constitute; because that would be an entirely new and loosely organized body. The council and the City, at any rate, have learned to act together and are organized.

4272. In the last ten days may I say?—Each body of them is organized. They have, of course, to learn to act together, and having been accustomed to act together on their own behalf, they would do it comparatively easy compared with your hetrogeneous trust.

4273. Do not use hard words Sir Thomas, please; however, the first thing to be done is to get rid of the common enemy and oppressors of all the Vestries Bill: you have said that?—That is the immediate question; that is the question on which I was called to give evidence.

4274. If you had confined your evidence to that, I should not have asked you so much. Do not you think that a little practical experience on behalf of the London county council would be necessary before you could determine what you could sell to the local authorities outside, and what you could not?—I really can hardly answer you that question until I have looked into it much more; it is possible that in some cases it would be better to make the arrangement at once; in other cases it might be better to postpone it.

4275. It might be possible I admit; just possible, in one or two cases, to at once let the local authorities take over the supply; but, of course, you know of such a common difficulty as this: that the sources of supply are at a considerable distance from the supply themselves; I am speaking of supply by the local authorities in their own districts?—Yes.

4276. Therefore, if it acquired the supply in its own district, it might be that it would acquire reservoirs and works which would be useful for the rest of London?—That is a question that would have to be most carefully considered.

Mr. *Rickards*—continued.

4277. Do you think it would be possible to find out fully how far that would be possible, without working the undertakings as a whole first?—That is a question I would rather you would ask our engineer.

4278. It is rather an important question for my Bill. My proposition is that the water authority should buy the undertakings first, should sell to the local authorities outside, if you please (I am quite content to adopt that from you) afterwards, upon terms to be arranged between them, what they do not want themselves?—This is a new feature in your Bill.

4279. Not altogether?—As I understood your Bill you were to supply the whole of this district.

4280. That is so?—You would have rights through the whole of this district.

4281. The proposition of the Bill is this: that the Water Trust should acquire the whole of the undertakings, but there is a very important clause in the Bill, perhaps I may call your attention to it, Clause 47 of the Bill, which provides that: "the water trust may sell, either by public auction or by private contract, and either unconditionally or subject to such conditions of sale as they may think expedient, altogether or in parcels, any land, buildings, works, plant, or material which they may not require for the purposes of this Act, and shall carry the moneys arising from such sale to the sinking fund provided for by this Act, or apply such moneys to any of the purposes of this Act to which capital is applicable as they may think expedient."

Mr. *Moulton.*] Will you read the marginal note?

Chairman.] It is only: "Power of Water Trust to sell superfluous land."

Mr. *Rickards.*] It is works as well, Sir.

Witness.] It has nothing absolutely to do with selling part of the water to the local authority to supply water in their district. Do you alter the representation under that clause?

4282. Certainly; that would have to be done?—Do you do it?

4283. Pardon my saying that clause might be very easily modified, giving a right of preemption to the local authorities outside?—If you introduce perfectly new things into your Bill it is a new Bill.

4284. It is a definite scheme at the present time, which is more, if you will forgive me, than I can say for the scheme of the London county council. However, I will pass from that. I see among your criticisms on our Bill that you say: a large, new, independent governing body will be elected by the different constituency from a different area?—Yes.

4285. Do you know who are to be the constituents in this case of the Water Trust?—The constituents of the Water Trust are the water ratepayers of this area.

4286. No, I beg your pardon, the county electors?—I beg your pardon; you are quite right. I am wrong; the county electors it is.

4287. Do you know that the Bill takes as the electoral areas the existing Parliamenty divisions within the water area?—Yes; but the Parliamentary divisions do not correspond to the water area;

Mr. *Rickards*—continued.

area; you have to cut across them and alter them.

4288. That is quite true; but they take a portion of them, do you know that?—Yes, I know they take a portion of them.

4289. With power to the Local Government Board to group them?—Yes, to make new areas.

4290. It is conceivable, is it not, and in fact it is part of the arrangement which you have lately suggested to the Committee, that where you take the whole of the undertaking of a water company, partly inside and partly outside the metropolis, you should come under an obligation to supply the part outside the metropolis yourself?—If they wish it, and we can come to terms with them about it.

4291. Do you propose in that case, as in the case of London, that the London county rate should be the ultimate security of the revenue and the interest to be paid upon the moneys raised?—We should be in the position of vendors or lessors in that case, as many of the councils in the north are.

4292. Excuse my asking you to say "yes" or "no"?—I will say "yes" to that question, and then I add, we should in that case be in the position of vendors of water, or lessors of a right to water.

4293. Would you be in this position, that if the water revenues were insufficient to pay the interest on the money that you raised, the county rate would be the ultimate security?—Yes; that is so, no doubt.

4924. Outside the metropolis, *quantum valeat*, as well as inside?—It would be for us to make such terms with the persons we supply outside as to prevent the county rate from suffering.

4295. You have suggested to the Committee that this question, as I understand, it not ripe for decision; I suppose you have looked at the Reports of the different Commissioners and Committees of House of Commons upon the water supply in London, have you not?—A good many of them.

4296. First of all the Royal Commission of 1810?—No; I do not think I have gone back so far as that. I have read the history generally, but I have not read those in detail.

4297. The Select Committee of 1821?—No, I do not think I have read that in detail; I have read extracts from it.

4298. The Royal Commission of 1828?—I really cannot tell you for what I have read of those old Reports; I have read a good many of them

4299. The Royal Commission as to purifying the sources of London water supply in 1834, 1840, and 1845?—I have read extracts from them.

4300. The Royal Commission in 1851 on the Government Bill?—Yes, I have read those Bills; I read a good deal of what was said at that time.

4301. The discussion on the Metropolis Water Act of 1852?—I have read a good deal of that.

4302. The Metropolis Water Act of 1852 provided that in future no company should take water having their intake below Teddington Weir, did not it?—I think so.

4303. Then there is the Royal Commission of

Mr. *Rickards*—continued.

1867, which reported in 1869, the Duke of Richmond's Commission?—Yes, I remember that well.

4304. There is the Metropolitan Water Act of 1871; that you know something about?—Constant supply, yes.

4305. Then was not there a Bill promoted in 1871 by the Metropolitan Board of Works for the purchase of the water companies?—I am not sure of the date; there was a Bill for an alternative supply promoted by the Metropolitan Board of Works.

4306. Was there another Bill in relation to the London water supply promoted in 1878 by the Metropolitan Board of Works?—Yes, there was.

4307. Were all these questions involving a great deal of discussion?—A great deal.

4308. A great deal of evidence was taken?—A great deal.

4309. And a great deal of expense incurred of course?—Yes.

4310. Were the expenses of the inquiries of the Metropolitan Board of Works charged upon the rates, do you know?—Ultimately, you have heard the story from Mr. Cripps, how they found they were surcharged by the auditor, and got a clause inserted to enable them to charge the expense upon the rates.

4311. This 5,000 *l.* which you are authorised to expend by your General Powers Act of 1890 is charged upon the rates, is it not?—Certainly.

4312. Have you formed any estimate at all of the amount of expense that will be necessary to carry these water engineers up to successful issue?—No, I have not.

4313. Has anybody done so?—I do not know whether our inquiries will be able to give you some sors of idea.

4314. Whatever the expenses are they will have to be charged upon the rates?—No doubt.

4315. Have you formed any idea of the time which must elapse before these inquiries are complete?—No, I answered that to the Committtee. I am not able to give you an answer to it.

4316. Now this proposed statutory committee of the London county council, will that be elected by the county council itself?—Those members of it whom the council elect will be elected by the council itself.

4317. Seven-eighths?—Yes, seven-eighths.

4318. Out of the whole council?—That I cannot tell you yet. That is not decided.

4319. Will those seven-eighths, that is to say, 42 members of the London county council, have been specially elected by the ratepayers with a view to their knowledge and water experience?—I have no doubt that if, at the next election, this question is before the constituencies, which I hope it will be, the constituencies will have that in mind in selecting their representatives.

4320. Would there be any guarantee in that case that the county council should elect the same members as the ratepayers have elected for water purposes?—The county council I have always found are only too glad to put upon any committee any persons who have a knowledge or experience of the subject, and who desire to serve upon it; therefore I have no doubt that if

Mr. *Rickards*—continued.

any persons were elected on account of their experience or knowledge relating to water, they would be upon the committee.

4321. Would you suggest that candidates should put themselves forward for the election as specially qualified to speak on that subject?—There are so many things the council is interested in that I cannot speak to that. They would put forward what they thought interested their constituents the most.

4322. The candidates would be elected, I presume, with a view to carrying out the powers of the London county countil generally?—Certainly.

4323. Do you object (I presume you do) to the water companies being able to avail themselves before an arbitrator, if it comes to an arbitration, of the quinquennial valuation under the Metropolis Valuation Act of 1869?—I have said that I think the Quinquennial Valuation Act was very hastily passed, and without reference to the effect it would have. What was done was to adopt the local valuation for the time being; and I think that the effect of the quinquennial re-valuation was not sufficiently considered at the time that was done. If the valuations rise, their water rents rise with them. I do not think that was sufficiently considered.

4324. Then you would prefer that that should not be taken as an element of compensation to the water companies?—I think most decidedly. Suppose there was anything like an arbitration, the arbitrator ought to take into consideration the possibility of Parliament altering that.

4325. You are aware that that subject is dealt with by the Bill?—Yes, if I remember rightly, I think you do deal with that.

4326. That Metropolis Valuation Act of 1869 applies, generally speaking, does it not, the terms of the Union Assessment Act of 1862 to the metropolis?—I am not sufficiently acquainted with the Union Assessment Act to tell you that; but there is a provision for the re-valuation of the metropolis every five years.

4327. Taking the poor law valuation as a basis?—It is a valuation for all purposes.

4328. Adopting the poor law assessment as a basis?—There are assessment committees of the various districts and vestry boards. I do not think it is exactly the same thing as it is in the counties. It is an assessment for all local purposes in London. It is not a valuation for the poor rate and a separate valuation for the county rate; it is a valuation for all purposes of rating.

4329. You have referred to Dr. Blaxall's report on epidemics arising out out of water supply?—I have referred to a special report upon the Staines district.

4330. The death-rate of London compares favourably with that of the provinces, does it not?—I have said nothing to the contrary.

4331. Do not you think the death-rate is a fair test of the purity of the supply of water?—I am not sufficiently competent to speak upon that. That is much too complicated a question.

4332. It would materially arise if the supply were seriously tainted?—If the supply was tainted and caused mortal disease of course the rate of mortality would rise.

4333. Obviously. Supposing the London county council, or a water authority, a central water authority I prefer to call them for the moment, buy up the whole of the water undertakings of the companies, supposing they find that the best way of doing it, they would re-sell afterwards, as you say, to the local authorities?—Where the local authorities desire it.

4234. Where the local authorities desire it; do you not think it would be advisable that if the local authorities are to subsequently buy portions of the water undertaking, they should be represented on the purchasing body, in the first instance?—No, I do not. I think the vendor had better work for himself and the purchaser for himself.

4235. Excuse me, if the local authorities outside are to become the ultimate purchasers, do not you think they should be represented on the purchase, in the first instance?—No; I do not think so at all.

4236. Let us take an example: supposing the London county council buy up the Kent Waterworks (a large portion of the Kent Waterworks area is outside the metropolis), your proposal is that subsequently, or I am not sure about subsequently, but at any rate your proposal is, that the local authority should buy up the portion of the Kent Waterworks outside the metropolis, is not that so?—If they desire it, and they are not taking away a supply that properly belongs to London.

4337. I am not dealing with that question. I rather wish that I had not taken the Kent Waterworks as an example. However, I will go on with it now. The local authorities in Kent, therefore, will become the ultimate purchasers of the water undertaking of the Kent Company, or a portion of it?—A certain portion of it, we will assume that to be the case.

4338. But the London county council in the first instance would conduct the purchase?—Yes, and would of course come under the obligations under which the companies now lie to supply that district with water.

4339. Do not you think it would be fair that the Kent local authorities should be represented on the purchasing body?—No, I do not think that is at all necessary or desirable.

4340. So that they should have something to do with the terms on which the Kent waterworks were purchased. I am only taking that as an example?—No; I do not think it is at all desirable.

4341. Suppose you come to sell to the Kent authorities subsequently, would you expect them to adopt the amount you had given, perhaps agreed, to give, for the Kent Waterworks as correct?—I have said that all these arrangements would require a great deal of care and consideration in carrying out; but if I am to make assumptions, let me assume that the district body, say in Kent, wishes to buy; the probability is that in the Bill conferring upon the London county council the power of buying the Kent waterworks a clause would be inserted to enable that

Mr *Rickards*—continued.

that district body to buy from the London county council on certain terms, which would have to be carefully settled. I put that as a suggestion, and as no more than a suggestion, upon certain assumptions.

4342. And you think, before the introduction of such a Bill, the London county council could and would decide what they could sell outside London and what they would have to retain?—I take it there would be an infinity of negociations outside.

4343. Can you put a date upon the Bill?—No, because we have not got on to that initial and difficult question of the new source of supply. That is the real hitch in all these negotiations.

4344. As we put it, it is inevitable, you know, that you must buy these companies some day?—Yes, very probably; most probably.

4345. The value of the waterworks undertakings increasing every year?—Yes; whether the value is increasing for the purpose of purchase is another question.

4346. Do you consider the market such a very bad criterion of the value of an undertaking?—I think those interested in the companies have been dividing the profits up to the hilt, that they have been putting aside no reserve for the future supply, and that the necessity of providing a future supply must come upon them, costing them some 10 or 20 million pounds; and that Parliament will take care that the expense of that new supply falls upon their water rents I think very probably you will see a drop in market values.

4347. There I quite agree with you, and that I am quite prepared to meet you by discounting the present value of the present waterworks undertakings up to the amount of the capital they have to expend to bring them up to date. With regard to sources of supply and so forth, there I am entirely with you; but the question I want you to consider now at the present moment is whether you should not follow, as in all other cases that I know about, the precedent established by Parliament that you should first clear away private interests and then extend your supply?—I have told the Committee already that I would have nothing to do with precedents because I know how deceptive they are. If I were to go into anyone of those precedents, to quote, it would take me three or four days to get the facts, and it would take me three or four hours to explain them to this Committee. Sir William Harcourt's Committee, as I think, very judiciously refused to go into precedents; and it was proved they were right. Mr. Smith relied upon the Birmingham precedent. It so happened that Mr. Chamberlain was present; he was familiar with the Birmingham precedent, and it was proved that Mr. Smith had deceived himself entirely; and if what he had said at that time to the Committee had been accepted, he would have misled the Committee. Therefore I will have nothing to do with precedents. Besides, when you have got a precedent, is it to bind everybody, or is a precedent to act in this case, an arrangement between a company and a corporation, carried on before, you do not know what Committee of the House of Commons, and to be for ever bound by it.

Mr. *Rickards*—continued.

4348. I entirely agree with you that a precedent is only to be used as a finger post, not as a thong to tie you to the post?—Certainly not a rail.

4349. Do you agree with the report of the Parliamentary committee on the London Water Bills before Parliament of the 12th February 1891?—Yes, to the best of my recollection.

4350. Do you agree with this proposition.—"The question of water supply to London differs in magnitude only, not in principle, from the from the same question as already fully discussed and solved by the leading municipal corporations for other great centres of population in the United Kingdom"?—Yes, and perhaps if you added the word "complexity" it would be more adequate, "magnitude and complexity"

4351. I am not responsible for the report. I have no objection to add that?—I think perhaps it would be more complete, but I agree to that sentence.

4352. Do you agree to this proposition: "In Manchester, Liverpool, Glasgow, Dublin, Leeds, Bradford, Cardiff, Nottingham, Leicester, and many other towns, what is regarded in London as a difficult problem has been successfully solved"?—That was put in upon the authority of those who know those cases better than I do. I believe it to be substantially accurate. I have no personal knowledge of those cases myself.

4352. Therefore I suppose if this report is accurate some guidance may be derived from a regard to these cases?—I think so, without being bound by them as precedents.

4354. Now to continue the report for a moment; there is a paragraph of the Report of Sir William Harcourt's Committee (I will merely ask that particular thing), quoted in your Parliamentary committee's report; this, I take it, is the substantial charter of your opposition to this Bill; your case is substantially this——?—I told the Committee at the beginning that my evidence would be very largely founded upon Sir William Harcourt's Committee's Report.

4355. I am speaking now of this particular Report I have in my hand, of the 12th February. It does summarise it, does it not?—It contains the council's case as it was then understood.

4356. I see this, "That in the absence of any single municipal body to which these functions could be committed, a water authority of a representative character should be constituted." That was at the time of the time of the Metropolitan Board of Works, 1880, was it not?—Are you reading from Sir William Harcourt's Committee's Report?

4357. Yes?—No. That passage in Sir William Harcourt's Committee's Report to which you are referring has to be read in reference to the existing circumstances of the case. The Metropolitan Board existed, but the London county council did not exist.

4358, I do not want to go over the same ground over and over again. The London county council have been substituted for the Metropolitan Board of Works, by the Local Government Act, 1888?—Yes.

4359. But not given any additional control over sources of water?—No.

4360. There is one question on the Corporation

Mr. *Rickards*—continued.

of London that I want to ask you about. There is a paragraph here headed, "The peculiarity arising from the relative positions of the Corporation of the City of London and this council," and you approve it; so that you "feel sure that all members of the council will duly appreciate the services which the City has rendered to London in instituting inquiries into and dealing with the subject of water supply, especially during the assumed technical disability of the council, and previously of the Metropolitan Board, to handle it. We recognise moreover the great historical position of the City as justly giving great weight to their representations on any such subject, and we have very carefully considered whether any scheme could be suggested under which some special representation could be given to the City in the management of the water supply. On the whole, however, we are unable to draw any substantial distinction between the position of the City in regard to main drainage and the position of the City in regard to water supply." Do you still hold that opinion?—It is perfectly true that that passage is there, but it is also true that at that time the City had their Bill before Parliament, with which Bill we could not agree. I am very happy to say that circumstances have altered since then, and that now we do see our way to admit the representation of the City.

4361. You see you say in this paragraph "the position of the City in regard to main drainage and the position of the City in regard to water supply" admits of no "substantial distinction" being drawn. If you remain of that opinion, and the Corporation of London have a special representation at the present moment given to the London county council, why do you give them the power to contribute one-eighth to the statutory committee?—If it were a question between having the City entirely against us, and with a separate Bill, such as was the case then, then I should say we adhere to what is stated in our Parliamentary Report; but, as I say, I am happy to know that the circumstances have changed, and that we and the City have come together, and I see no reason why we should not act together.

4362. The circumstances have changed by the fact that our Bill is before the Committee at the present moment?—Yes, and the City Bill is not; and the City have approached us, and we have approached the City in a friendly way.

4363. You have buried the hatchet in order to assail our Bill?—No; in order to bring the two great bodies of London together on a matter which infinitely concerns the people of London; and I consider it a very great feat to have accomplished it.

4364. I quite agree with what you say as regards affecting the people of London. Now we come to the criticism of our Bill. Do you object to our constituting a board of arbitration; would you rather have the Lands Clauses Act?—I have not thought about that. I do not like either the one or the other.

4365. I mean to say, where you have a great number of undertakings to deal with, would not it be advisable, in order to prevent repetition of argument, and in order to arrive at definite principles on the part of the arbitrators, to have one board of arbitration instead of having new boards for each company?—Yes, I should think it probably would, if there are points to be settled.

4366. Now a word on the finance of the Bill. Do you suggest that you can raise the money, that supposing a Water Trust were constituted, one of the objections to it would be that they could not raise the money on equally favourable terms with the London county council?—I should doubt whether a new body of that kind raising a new fund upon new security would be able to raise it so well as a body which already has some 20,000,000, or nearly 20,000,000 of stock in the market, and which raises it on very low terms indeed.

4367. But you admit the security is a pretty good one, do not you?—Securities are good; but people like well known stocks; and a multiplication of stocks does not tend to raise their value.

4368. Is not the "Metropolitan Water Stock" a sufficiently nice and attractive name?—A very pretty name, indeed.

4369. Do you think that the electorate would not elect members of the water trust who would be able to conduct their finance in a satisfactory manner?—I cannot say. They very likely might. I cannot say they would.

4370. Of course you admit that with the exception of your engineer, Mr. Binnie, the county council as a whole base no experience of water matters, naturally?—No, but they have a good deal to do with Government, and a good deal of experience of financial management. The financial management of the Metropolitan Board of Works was excellent.

4371. That I do not question?—And we have the whole of that experience.

4372. Could the objection to the finance, therefore, be met in any way like this, that the London county council should borrow the money for the water trust and lend it to them, as they do the school board?—I think we should prefer to borrow it for ourselves.

4373. I have no doubt you would. There is one other question of finance. I see you put it in your Answer to Questions 3096 to 3099 that the water companies spend new capital in repairs and renewals?—It is difficult to distinguish between repairs, and renewals, and expansions for the purpose of new supply. I doubt much whether it is possible to make the distinction.

4374. Mr. Stoneham is a very competent auditor, is he not?—Yes.

4375. And it is part of his business to see that the capital of the companies shall not be expended upon revenue purposes?—He will tell you that the question of distinguishing between revenue and capital purposes is one of the very most difficult questions that any person can have to settle.

4376. No doubt, but one of the very questions he has to deal with?—To deal with to the best of his ability.

4377. Do you happen to know that he does not allow capital expenditure upon repairs and renewals?

Mr. *Rickards*—continued.

newals?—So far as he can avoid it; but he cannot help it.

4378. I see that you summarise your objections to the vestries' Bill, and this is the last point with which I shall have to to trouble you. You first of all say that the main objections to the Bill are as follows:—"(1) multiplication and confusion of jurisdiction." Do you consider that the substitution of one central authority for eight water companies is a "multiplication and confusion of jurisdiction"?—No; but it is a multiplication of jurisdiction; we have another municipal body in London.

4379. "Municipal body"; but you know that the proposal is that the water trust shall take the place of the companies, and have the same powers of levying rates that the companies have?—It might be a simplification as compared with the present state of things, but not a simplification as compared with placing the water supply in the hands of the present municipal authority.

4380. Do you object to a sinking fund altogether in connection with this?—On the contrary, I am very much indeed in favour of a sinking fund. I think that sinking funds in municipal finance are matters that ought to be much more strictly guarded than they are. But what I wanted to have considered is what the effect of your sinking fund would be upon the rates of London; that was the point that I made.

4381. Now we have this, have we not; we have the companies at the present time earning 7 to 10 per cent., and in some cases paying back dividends?—Yes; I think there are some of the dividends which are under 7 per cent., if I remember rightly.

4382. Seven to 10 per cent., and in some cases paying back dividends, after paying the expenses of supply?—Of course they have to pay the present expenses of supply.

4383. Do you think that one central authority could supply the water equally economically; you have already said more so?—More economically, no doubt.

4384 Then if the same rates were charged by the water trust as by the water companies, there would be a still larger margin of profit?—I should hope so.

4385. Which would be applied partly in the reduction of water rates and partly in the payment off of capital purchase stock by a sinking fund?—That is the whole object of a central authority.

4386. So that if the companies are at the present time earning these large dividends, you would expect the central authority, if they went on charging the same price, to make even larger profits?—You must remember that the central authority, if they take the thing over now, would have to face this awful question of the new supply.

4387. No doubt they would sooner or later?—They would have to face the sinking fund, which unfortunately the companies have not made.

4388. Do not imagine that I disagree with you on that point that sooner or later they must face the question of additional sources of supply; there I am entirely with you; but if they can very much more economically administer the undertakings of the water companies, they wil will have more funds in hand to do so, at any rate?—Yes, and my whole contention is that the companies, if they had acted wisely, would, instead of dividing these large dividends amongst their shareholders, have put aside money to meet this question of a new supply; and whether it is the companies or the London county council, or whether it is your water trust, whoever has to undertake this will have to meet that; and therefore they will not be able these large profits which the companies have lately dividing.

Mr. *Rickards*—continued.

4389. Just upon that point of independent supply I see in your article, which I have before me, of last March, you say that the Bill does not give power to the new trust to introduce new sources of supply. You admit that that is a slight error, do you not?—No, I do not; your Bill puts new supply in a quite secondary place; we put it in the first place. You make it subordinate and you have stated (Mr. Wilkins stated) that you did not intend to go in for a new supply before you effected the purchase; the purchase was to be the first thing.

4390. Please do not say "subordinate;" we put it in chronological order?—That is subordinate.

4391. I beg very respectfully to differ from you. We say of necessity the purchase is inevitable; the value of the undertaking is increasing rapidly; purchase first, extend afterwards?—Yes; and we say you cannot settle the question of purchase until you have gone into this question of new supply.

4392. I know that is the great issue between us?—There we take issue with you directly.

4393. You have said that it is an interference with rating, a delegation of power, and money borrowed on the mortgage to the rates. That, however, is a matter I can argue about. That will conclude my cross-examination.

Mr. *Bristowe.*

4394. Before Mr. Moulton begins to re-examine, may I ask one question? You have talked about the question of new supply; I suppose it has struck you that if a new supply is required there will be a new revenue, has it not, or has it not struck you?—But what I say is, that in all the calculations that have been made, Mr. Smith's and others, you have always calculated your increase of revenue without taking, on the other hand, the enormous expense you will have to go to for supply.

4395. On the other hand, it struck me that you might have been thinking of increased expenditure without increased revenue?—Oh, no.

4396. You have never mentioned it during your remarks?—No.

Sir *Henry Roscoe.*

4397. I suppose the increased revenue would not be at all proportionate to the increased expense of the new supply, would it?—That is exactly my point, that the companies have been acting, and Mr. Smith acted, and Lord Cross acted upon the notion of there being a constant increase to the revenue to the companies arising from increase of water rents, and they did not take into consideration, on the other hand, the enormous

Sir *Henry Roscoe*—continued.

enormous expense that would have to be gone to to earn that increase.

Mr. *Rickards.*

4398. Excuse my asking you one more question; you do not suggest that we adopt Mr. Smith's calculations, do you?—I trust not, I never accused you of that.

Re-examined by Mr. *Moulton.*

4399. I have only very very few questions to ask you; an agreement with the City was put to you in the course of the evidence; did that agreement with the City deal exhaustively with all the points of arrangement between you and the City?—Certainly not.

4400. And so far as you know, are you and the Corporation now at one as to the general constitution of the body that ultimately ought to deal with the London county water supply?—Yes.

4401. You have, I believe, the Report of Sir William Harcourt's Committee before you, have you not?—Yes.

4402. Will you just look at paragraph 11 of the Report; it says: "In the constitution of the water authority your Committee would recommend that that body should be entrusted with the largest discretion as to the best method of dealing with the water supply of the metropolis. Various courses might be adopted. It would be possible to proceed by regulation of the powers of the existing companies as in the case of the gas supply; or by the introduction of an independent water supply; or by the purchase of the existing undertakings. It would be the duty of the water authority naturally to examine which of these schemes separately or in combination would be most advantageous to the public." Is the arrangement, as you and the City support it, carrying out that paragraph of the report?—It is.

4403. Is the arrangement, in your opinion, that is put forward in this other Bill, a total abandonment of that?—I think so.

Mr. *Rickards.*] Would you mind reading a previous paragraph, paragraph 4.

Mr. *Moulton.*

4404. Read it in your reply: "In order to give effect to any of them further statutory authority would be necessary, so that the judgment of Parliament on any scheme adopted by the water authority would be finally reserved"; is that what you are asking from the Committee?—That is exactly what we are asking.

Mr. *Moulton*—continued.

4405. My learned friend is suggesting that some experience might be necessary before you could tell how to re-arrange these water undertakings so as to throw external supply into the hands of external local authorities; do you think it would be a cheap way to get that experience, that you should be made to buy the whole of them at the present moment?—Very much the reverse.

4406. You were asked whether or not the council might not rely on the London rates to bring to bear a ruinous competition for the mere purpose of reducing the price; would that be possible unless Parliament allowed it?—Certainly not; and any municipal authority would be mad that undertook to do that.

4407. Now, as to the profits made by the companies, do the returns of profit, so far as you know, show what profits have been made by premiums?—No. Mr. Pember stated that the companies were going to give a full statement of their dividends, and he asked questions with a view to show that those dividends had not been on the whole very large. I wish to add to my answer on that subject that no return of the profits and of the dividends of the companies will be a satisfactory statement of the profits they have recently made unless there is added to it the profit which the companies have made by premiums on new capital before the introduction of the Auction Clauses.

4408. You and Mr. Balfour Browne rather differed on the question of the Birmingham case; have you examined as to whether your statements were correct?—Yes. I will not trouble the Committee with the details. They are all in the Appendix to the Report of Sir William Harcourt's Committee. But what I stated was absolutely accurate; and if Mr. Balfour Browne insinuated or suggested that what I said was inaccurate, he is inaccurate.

4409. You refer to yourself in dealing with the City as being a plenipotentiary; I believe you mean to say you do not mean you personally?—It was only the wording of the answer. I mean that the council intrusted a certain sub-committee, of which I was one, with the power to deal with those things.

Mr. Alexander R. Binnie, sworn; and Examined.

Mr. *Freeman.*

4410. You are a member of the Institution of Civil Engineers, and you are the chief engineer of the London county council?—Yes.

4411. You have had very considerable experience of municipal waterworks as carried on in the corporation of Glasgow, Manchester, Belfast, Leeds, and Bradford?—That is so.

4412. You have constructed large waterworks for the city of Nagpore, in India?—Yes.

4413. And for 15 years you acted as waterworks engineer to the corporation of Bradford?—I did.

Mr. *Freeman*—continued.

4414. And I believe you have always taken a great interest in the water question as it refers to London, have you not?—For the last 25 years I may say I have taken a great interest in it. I was engaged with the late Mr. Bateman, under him in preparing the details which led up to the proposal which he brought before the Duke of Richmond's Commission in 1869, for the supply of London.

4415. Before

Mr. *Freeman*—continued.

4415. Before I come to certain facts which I want you to speak to, there have been several matters before the Committee when Sir Thomas Farrer and Mr. Cripps were in the box, which were left until you came into the chair?—There were.

4416. In the first case a list was put in by Mr. Cripps, showing the supply of water by a certain number of the larger towns, mainly in the north?—Yes.

4417. It was stated to the Committee that you would inform them in what cases the supply there was constant, and by gravitation; will you shortly do that?—I will shorten it as much as I can. The following towns are supplied under constant pressure and by gravitation: Manchester, Glasgow, Bradford, Sheffield, Leeds, Oldham, Huddersfield, Bolton, Halifax, Blackburn. I may add, although not on this list, Liverpool also; the town of Cardiff, which is on this list, will ultimately be supplied by gravitation under constant supply; the works are not finished yet. The towns of Northampton and Birmingham are both of them constant supplies, but more or less assisted by pumping. I might perhaps be allowed to suggest to the Committee that there is a great deal of very useful information on those subjects in that Report ordered to be printed by the House of Commons in 1879. This is the Urban Water Supply Report.

4418. That report deals with almost every town, I think, in England, besides those you have been referring to?—It does, and it gives most of the outline facts, such as whether they they are constant, under constant pressure, supplied by wells, by drainage areas, by gravitation, and other things.

4419. The next matter I want you to explain is this: A table was put in by Sir Thomas Farrer; it is marked in the Notes Appendix G., H.; and at page 6 of that there is a column headed Lea Drawings?—"Water drawn from Lea"; yes.

4420. "Water drawn from Lea." I believe you desire to make that complete; to supplement it by another fact?—The water drawn from the Thames, I think, in the first column of the table, is sufficiently explicit. Water drawn from the Lea, starting at 40,347,000 in 1858, to, in 1890, 72,856,000. I think I should explain that those totals include what was pumped from wells in the Lea Valley, as well as that which was drawn from the open river; and I propose to put in for the last years, 1887, 1888, 1889, and 1890 the quantities drawn from those two sources respectively. In 1887 (I will not not go into details of the figures further than to say this) 54 millions from the river and nine millions from wells and springs. In the year 1888, 57 millions from the river, 10,400,000 from wells and springs. In 1889, 58,200,000 from the river, 11,693,000 from wells and springs. In 1890, 59,624,000 from the river, 13,232,000 from wells and springs. Perhaps that amended table had better go upon the Notes, if the learned gentlemen approve. (*The table was handed in, vide* Appendix R.

4421. That shows that both from the Lea itself and the wells in the Lea Valley the drawings have been steadily increased?—It does.

Mr. *Freeman*—continued.

4422. There is one other matter on that same Appendix which I think you desire to add to. A table was put in, G. H. Appendix, page 7, of the Thames and Lee Tables; but that is deficient by not showing the growing population?—Is does not show the growing population. The table put in by Sir Thomas Farrer shows horses, cattle, sheep, pigs, and "estimated population, 1891." in the Thames and the Lee Valleys, and the Thames and the Lee collectively. I propose to put in the population in the different counties in the Thames and Lee Valleys.

4423. Will you refer to the table you are going to compare by some title, so that it may go upon the Note?—I have it numbered for my own Note, "17." I do not know whether the shorthand writer would adopt that. (*The document was handed in, vide* Appendix S.) on page 2 of that the Committee will find the population in the Thames Valley and its tributaries above the intakes of the companies for each of the different countries in the years 1851, 1861, 1871, and 1881, and an estimate for 1891; on page 3 the areas of the different countries comprised in the watershed of the Thames in acreage and in square miles. On page 4 the Lee population and the Lea areas are treated in a similar way, and at the foot of the page there is a summary of the two (Thames and Lee) quantities.

Mr. *Bristowe.*

4424. Those are exactly the same as on that map, I think, are not they?—They are.

Mr. *Bolton.*] Except as to Sussex; where is Sussex.

Mr. *Bristowe.*] They are the same as the figures on that map.

Witness.] You see a very small portion of Sussex comes in near Haslemere. There is one other matter; that is a list of towns which at the census of 1881 contained 1,000 population and upwards in the basins of the River Thames and Lee. This is rather a long tabular statement, of some 13 pages; if the Committee think it worth while, it may be places on the Notes; it gives all the towns in the different countries with their populations in 1851, 1861, 1871, and 1881.

Chairman.

4425. You have given the populations of these counties in here, have you not?—The total populations, Sir. These are the populations inhabiting towns and villages of larger population than 1,000.

I do not think it is necessary to put that upon the Notes at present.

Mr. *Freeman.*] I think, Sir, we need not encumber the Notes with this. I think the former tables——

Chairman.] The former tables will be sufficient.

Mr. *Pember.*] If it is there, they might as well give us a copy. Will you give us a copy?

Witness.] Certainly.

Mr. *Freeman.*] Certainly; but I do not think, unless, my friends wish it, we need put it on the Notes.

Mr. *Pember.*] Oh, no.

Chairman.] Oh, no.

Mr. *Pember.*] If you will give us a copy, so that we may follow it that it will do.

Mr. *Freeman.*

4426. Now, I want to ask you a few questions, and they shall be main questions; first of all, as regards the question of the council as a body supplying the water to the metropolis; at the present time you are aware of the duties which the council has to perform in the metropolis, which are in any way analagous to this question of water?—There are a great many, I think. The most important is that with regard to the sanitary affairs connected with main drainage, which both within and without the City of London are under the county council. The extinction of fires is also a matter within their control; and then with regard to streets they are charged with the following duties: sanction of temporary closing of streets, closing of subways.

Chairman.] I do not think you need go through these. You may assume that the powers of the London county council are known to the Committee.

Mr. *Freeman.*

4427. Looking at the list of their powers, and your knowledge of the way in which matters are at present carried out, do you see any difficulty in the suggestion which was put by Mr. Pope on Thursday, that, owing to the council not being the street authority in every case, there would be difficulties in their carrying out the water supply?—None whatever; because they become the possessors of water undertakings they would be vested with all the powers of waterworks companies.

4428. On the other hand what have you to say as to the proposal of the vestry Bill for creating these fresh electorial districts?—That it is unnecessary, and that it would lead to great expense and complication.

4429. That as regards the proposal requiring that the companies should be purchased within a limited period; do you object to that?—Most decidedly. I do not know, in the whole of my 25 years' experience a single instance in which a corporation has been compelled to purchase a company.

4430. I believe the usual course in your experience has been for Parliament to allow the corporation and the company to settle matters between themselves, and then to sanction the final arrangement when arrived at?—That is so. I know the case of Glasgow for instance. That is a very good illustration. In Glasgow there were two companies supplying the town, the Gorbals Company supplying by gravitation the south side of the river, and the Glasgow Waterworks Company supplying by pumping from the Clyde. In 1852 the corporation determined to come to Parliament, but in 1853 the company projected a scheme of works to Loch Lubuaig, and were defeated in that year by the corporation, who threw out the Bill, the Committee considering that the supply should be in the hands of the corporation. In the following Session, 1854, the corporation projected the Lock Katrine scheme. *These* are the plans (*handing same to the Committee*). *This* is the Loch Lubuaig scheme projected by the company; the green section. The red one is that of the corporation. In 1854 the corporation were not successful, owing principally to the opposition of the Admiralty as regards compensation going down the River Forth; and the result was that they did not obtain their Act until 1885. But before that time arrived a very important arrangement had been come to; it was arranged that the two companies should be purchased by the corporation, and that agreement having been come to, the corporation naturally, as they were asking for powers to purchase the company, included it in the Act.

Mr. *Freeman*—continued.

4431. Just let me point this out, and ask your opinion: The corporation having purchased the water supply of one company, and coming with a Bill to supplement that, there was nothing unnatural in their stating in the preamble that the existing supply was insufficient, both in quality and quantity?—No, it was a fact. It was admitted by the company itself, who, in the previous Session, had projected a scheme of its own. The case of Bradford is also analogous. The borough of Bradford was, previous to 1854, supplied by a company. The corporation in 1853 determined that it was no longer suitable that the supply should be in the hands of the company, and the corporation projected a scheme of works, and a Bill for the compulsory purchase of the company. In the same Session (heard, I believe, before the same Committee) the company, knowing that their supply was deficient in quantity (not in quality) also projected a new scheme of works; and both of the schemes, I believe, were before the same Committee, as I said before; the result being that the Committee leant very decidedly toward the scheme of works projected by the company, and passed the company's Bill; but they leant so far towards the corporation that they pressed the corporation Bill to purchase the company, and citing in that Bill that an arrange ment or agreement had been come to between the corporation and the company for the purchase and sale of the undertaking. These cases of Glasgow and Bradford I think pretty fairly show what happens if corporations and companies are left to themselves. They ultimately come to an arrangement, which Parliament ultimately sanctions, and then of course the Act contains a power to purchase and a power to sell, which, looked at by the light of later events, people are rather apt to say was a compulsory purchase by the corporation; but such a thing has never been done before.

4432. No, it has been the sanction of an agreement by Parliament?—That is what it amounts to.

4433. Bringing your experience to bear of other cases of these two, and other great towns, do you see any reason why the county council and the Corporation of London, working together as is proposed, should not be equally well able to manage the water supply for London?—Most decidedly not. I think they are better able than most of our corporate towns to do it, and I do not see why they should not do it. Not being trusted, and clothed with the powers necessary is really the disadvantage in which London has remained for the last 30 years, that

it

Mr. *Freeman*—continued.

it has no body within itself clothed with the powers to undertake the water supply.

4434. You are thoroughly acquainted with the arrangements which have taken place between the corporation and the council; do you think they will make for the first time a suitable way to carry out these powers?—I do. I cannot imagine any body so well able as the county council and the City acting in combination on this important subject.

4435. Do you agree that one of the main reasons why such an authority as the corporation and council should be given the powers is, to ensure the health of the metropolis?—Undoubtedly.

4436. They alone would be in a position to enforce upon the people the taking of water?—Certainly. I feel myself that this is an exceedingly grave question. It is practically a national question. We are speaking of the water supply of one-fifth of England and Wales, and with regard more particularly to the question you have just asked, I think that no public body is worth anything without being entrusted by Parliament with the control of the health of the people in the district it represents, and to do that effectually it is necessary that Parliament should confer upon that body powers of compulsory supply of water. By "compulsion," as I am using the word, I mean power to compel the owers of property, generally the poorer class of property, to have their property properly supplied with water.

4437. In a way which a trading company could by no possibility enforce?—Certainly; because it is not a remunerative line of business at all, either to the landlord or to the company.

4438. And do you find that when corporations such as is proposed here have the water supply, the question of charges becomes a very easy one?—It becomes very easy. It is a representative body. The body represented knows that there is no profit going to be made; and the question of charges is quite of secondary importance; they can be altered from time to time (and are altered), so as to make them more equitable in their burden, as time and experience points out.

4438*. You are, therefore, of opinion that no better body could be selected than a committee such as is proposed by the council and corporation, to carry out the water supply for London?—I am sure that there could not.

4439. The body, therefore, being such, who is to regulate the supply; do you agree with the Report of Sir William Harcourt's Committee, that the fullest liberty should be given to them to consider the best means of dealing with this difficult supply?—I certainly do. It is the only line on which I can see any light on getting this great question settled. They must be the same, and I am not asking for any greater powers than are possessed by Liverpool, or Manchester, or any of our great corporate towns; in fact, it is really, to my mind (looking at it, perhaps, from a professional point of view), a great scandal of the age that there is not a public body for London, to represent the public on this water question.

4440. And without going over the ground which has been traversed by various witnesses,

Mr. *Freeman*—continued.

you think the joint committee of the two c oro rate bodies would be better than the proposed new trust to be erected out of the vestries under the Vestries' Bill?—I feel confident of it.

4441. In your opinion, if this matter is to be properly dealt with, you say a certain time for inquiry must be given?—I do.

4442. But do you, from inquiries which you yourself have made, and which the council have made, state to the Committee that if powers are given to the proposed body to deal fully with the whole matter, a Bill can be placed before Parliament at no distant date?—I certainly do.

4443. And for that purpose do you consider it very important that if this Committee can see their way to doing so, a water authority such as is proposed, that is, the council and the corporation, should be now constituted?—I do. I think the sooner that body is constituted the sooner this great question will be settled; and I go further almost than that, and say that until some great body in London is clothed with proper powers this question will remain an open one.

4444. Of course, until the body is constituted, it cannot in any way deal with the subject so as to introduce a measure for finally settling the water question?—It cannot.

4445. Therefore, if this Committee see their way to constitute such a body now, it will, at least, save one Session?—It certainly will.

4446. And, in your opinion, without committing the council positively to time, if the body is constituted, do you think that, at most, in two Sessions they will be able to produce a Bill for the approval of Parliament?—I think so. I see no reason why it should not be done. There are many considerations why it should be done, I think, by the Session after next. I do not think it possible to introduce a Bill next Session; I do not think the time is sufficiently long to enable this new body, if it were constituted at the end of the Session (say at the end of July) to have time to act and consider.

4447. So as to give the notices by November?—So as to give the notices by November.

4448. I presume that answer refers mainly to the very difficult question of an alternative or a supplemental supply?—It does. That must at an early date engage the attention of such a body if constituted.

4449. Having taken all these subjects into consideration, you see no reason why two sessions should not be sufficient to prepare the whole subject?—I do not.

Mr. *Bolton.*

4450. I should like to ask the witness this question: If the Committee were to recommend the House of Commons to give the county council power to spend money to promote a Bill, there would be no necessity for the constitution of any special authority such as you are suggesting, because the county council and the corporation could agree together to bring in a Bill to deal with the whole question?—Undoubtedly. That is, I believe, practically the power asked for in the Bill which has been brought in by Sir John Lubbock.

4451. Therefore simply giving the county council power to spend money upon a water

Mr. *Bolton*—continued.

inquiry and the promotion of a Bill to deal with the water question would be sufficient to deal with the whole matter?—I think it would for the present at all events.

4452. Without going into the further question of constituting a water authority?—I think it would.

4453. Therefore the corportion, which has full power at the present time to hold an inquiry to promote a Bill, could co-operate with the county council; it would then have power to spend money and deal with the question and would be then able to promote a Bill?—It would.

Mr. *Freeman.*

4454. Of course Mr. Binnie is speaking as engineer to the London county council, but I might point out that there would be this further advantage by constituting a body now, that it would be in a much better position for holding an authoritative inquiry. (To the *Witness.*) Dealing with another matter, you have considered the question of the alleged difficulties in relation to the supply of the outside districts, have you not?—I have.

4455. Is that a question which in your own experience has arisen with most of the large corporations in the north?—Yes, it is a question that has had to be dealt with by most of them.

4456. I believe in Bradford, where you had many years' experience, you dealt with a great number of outlying districts?—Yes; we had 31.

4457. In Bradford, I believe, not only is there a population of 235,000, and an area of 10,700 acres, supplied in the borough itself, but there are 65,121 acres, containing a population of 204,000 persons, outside the borough supplied?—Yes.

4458. That being the population of the 28 outlying townships?—Yes.

4459. Will you explain to the Committee how the supply is managed for those outside districts from Bradford?—The supply in all but two insignificant cases is arranged by payment for the quantity supplied in bulk by meter. There are one or two small exceptions to that rule, but that is practically the rule adopted. The corporation have no compulsory powers to supply water or to charge any rate whatever in the outtownships. The water is supplied in each separate locality either at the corporation boundary or at the boundary of the district in question in bulk. The water so measured is charged for at a rate per thousand gallons agreed upon by both bodies. This charge in the case of Bradford is uniformly 9 *d.* per thousand gallons. Within its area each independent local authority, local board, or other governing body has power, and does actually lay its own distribution pipes, make its own water charges, and any other regulations that it thinks fit, quite independently of the corporation.

4460. Can these out-districts be in any way interfered with by the corporation?—No, they cannot, in no way whatever.

4461. The corporation merely brings the water to their boundary, and is bound to supply it, and directly it is received by these districts they are as independent as if it were their own supply?—Yes; except that I should mention that the corporation are under an obligation to supply to these out-townships the water required by them, and at no time to decrease the supply (the point of constant supply is rather important in that case) to any of the out-townships without in like manner decreasing the supply to the borough itself.

Mr. *Freeman*—continued.

4462. I believe the only restriction on those outlying districts is that so long as the corporation are willing and able to afford the supply mentioned in the various Acts of the corporation, the outlying districts may not establish independent works?—Yes; there is one very important exception also that I should mention to the Committee. The corporation can charge inside the borough, besides the ordinary water rents, an unlimited rate for waterworks purposes. They cannot levy any such rate in the out districts; so that the out districts are relieved from all responsibility of capital charges, any fluctuation in value, or accidents that may occur in the administration of the waterworks. They are safeguarded from that, and can get their water delivered at their own boundaries at so much a thousand gallons.

4463. From your 15 years' experience in Bradford, do you find that that system has worked smoothly and conveniently?—Quite so; most smoothly and harmoniously between the out townships and the corporation in every respect; and I should explain there is no reason why the same plan should not be carried on in the out districts of the metropolis. In fact, the out districts of the metropolis present, as compared with Bradford, an easy district of supply.

4464. To complete the story as to Bradford, can you tell me how long the corporation have had the waterworks?—Since 1854. I think the purchase was completed under the Act of 1854, in 1855.

Sir *Algernon Borthwick.*

4465. Can you tell me where the supply comes from?—There are two supplies, a portion from the reserves in the upper valley of the Wharfe, and the other portion comes about 20 miles from the Wharfe near Bolton Abbey. Those two sources are nearly exhausted, and last Session the corporation obtained an Act to obtain 17,000,000 gallons more water from the valley of the Nidd, above Knaresborough.

Mr. *Freeman.*

4466. In your opinion do you consider that corporations such as you have had to deal with can deal with the financial part of the undertaking of a water company more economically than private companies?—Considerably.

4467. Do you also consider, when it becomes a question of getting new supplies or supplementing existing supplies, that a corporation is in a much better position than small private companies to do it?—Clearly so. In dealing with the very large question of water supply I think it can more effectually dealt with by a large body than if each individual out township or district were to take up its own water supply itself.

4468. In the application of those questions to the districts round London, you know the nature, the

Mr. *Freeman*—continued.

the lie of the land, and the general position of those districts, do you not?—I do.

4469. Do you see, from an engineering point of view any difficulty in supplying those outside districts in precisely the same way as Bradford supplies its outside districts?—Not the slightest. As compared with Bradford, London is a very easy district to treat. There is a difference of 950 feet; that is to say, the low lying districts are 200 feet above sea level and the high lying districts are 1,150 feet. That is a district which does require some little consideration and care in laying out the water in separate zones or levels as you ascend; but in the case of London I do not apprehend the slightest difficulty whatever in carrying out the same principle, speaking from a professional point of view. I am not at the moment speaking of the necessary arrangements which would have to be made with the different out districts.

4470. I am asking you at present purely from an engineering point of view; possibly from the experience you have had in the north you find there are various ways in which the supply may be taken by these districts either by parallel or series?—Yes.

4471. In some cases several pipes coming from the source through the districts which are to be served finally into the metropolis, or one pipe being tapped on its route?—Yes, there are many expedients we have to adopt. Presuming these three sheets of paper to represent three townships, and this to be the borough boundary, they can be supplied in two ways, either by one common pipe running through; or this district may have its pipe, that district may have its pipe, and also this third one. That is of course an economical mode of doing it, but cases have happened where an outer township has got its supply first.

4472. You have also turned your mind to the consideration of the point, that supposing the council to be the authority, in what way the existing companies must be dealt with?—I have.

4473. Of course, the circumstances of each company depend on the condition of its works, the sufficiency of its supply, and numerous other circumstances?—It does, of course; each case will differ in itself.

4474. In your opinion must the fundamental idea in dealing with these companies be that the works and supply are in every way satisfactory and sufficient; they must be bought on that basis and where they are not so satisfactory they must be bought on a proportionately decreased value?—Undoubtedly.

4475. But neither you, the engineer of the council, nor the council themselves, desire to suggest to this Committee that the water companies are to be treated in any way unfairly?—Certainly not. The only difficulty is to arrive at that fair value.

4476. Supposing the council to be made the authority, do you think they will have much difficulty in coming to terms with some of the companies?—I am in hopes that were the corporation and the council vested with the proper authority, if I may be allowed to say, that they ought to possess for the governing of a great city like London, they would come to

Mr. *Freeman*—continued.

terms as every other corporation in the country has come to terms when they wished to buy out a company.

4477. Supposing terms cannot be come to, then arbitration in some shape or other must be resorted to?—Undoubtedly.

4478. In your opinion, in dealing with such a question as the purchase of the water companies of the metropolis, should Parliament itself give directions for the guidance of the arbitrators?—I think so; it is too important a matter to be left in the hands of any private body. I think Parliament itself should lay down very strongly the line that is to guide the arbitrator in such an inquiry.

4479. Not to amplify what has been already stated, do you agree with Sir Thomas Farrer's observations, that to no arbitrator should it be left to determine what may be the probable future powers which Parliament would confer on these companies?—Certainly not the whole undertaking is of so large a character, national almost, Imperial almost, that I cannot imagine that it would ever be left to one arbitrator for instance to determine what the value of the companies undertakings were, seeing that they would have to go to Wales and interfere with the supply from Birmingham or some other place. The question is very much outside the scope of London; so much so that it will require either an inquiry by Parliament or a Royal Commission to settle it before it is finished.

4480. And at the same time unless that question of supplementing their supplies can be dealt with at the time of the purchase, no arbitrator can arrive at a fair basis of what the value of the company is?—I think not.

4481. Therefore you think that a preliminary question should be brought in the form of a Bill by the authority before Parliament, to be dealt with by them, and then directions given to the arbitrators to deal with those questions?—I think so. The course that seems in my mind the most probable one would be this: that the body being vested with powers to inquire into the water question would do so. They would inquire on behalf of the ratepayers of London. That inquiry is an *ex parte* inquiry conducted by a powerful body, we will assume, but for a particular object and is not an inquiry that could ever be final, because the body carrying on the inquiry would naturally be an interested party. Having completed this inquiry, it would come to Parliament with the best proposal that it could devise, and ask Parliament to sanction that proposal. So that I think when we speak of an inquiry (it as well to make it clear) there are two inquiries involved: one an inquiry which would be necessily taken in hand by the authority, and the other an inquiry by Parliament or a Royal Commission to sanction the carrying out of so large an undertaking as this.

4482. But with this advantage, that Parliament would then have before them the best materials which a responsible authority could have collected?—Undonbtedly.

4482. Without going into the details at all, do you consider that a further question which must be carefully decided, not by an arbitrator,

Mr. *Freeman*—continued.

but by Parliament, is as to what the powers of the companies over their present sources of supply are?—I do; for I must confess I am not at all clear on that subject at the present time. At the period of the Duke of Richmond's Commision, I find the companies were authorised to take 110,000,000 gallons of water from the Thames. I find that they are now taking 130,000,000 gallons of water from the Thames. There are matters connected with that which I think are worthy of the attention of this Committee; at all events, which should be cleared up sooner or later, as it is very important. It occurs in the 18th Annual Report of the Local Government Board, 1888–89, from Mr. Stoneham, at page 264. I will not read it to the Committee; I will simply refer to it. It is a report from Mr. Stoneham, in which he states that he discovers the companies are paying to the Conservators a large amount of money under certain agreements, one of which he quotes, and I leave the matter before the Committee to have this thing thoroughly explained; for it appears that the reason for this agreement is that the Conservators may be saved the necessity of coming to Parliament in one clause, and in another clause that if the companies come to Parliament to legalise this agreement they should be supported by the Conservators.

4484. So that the result, so far as you have been able to make it out, is that there is considerable uncertainty as to how far the alleged rights of the company to use the Thames water are sanctioned at the present time by Parliament?—It is to my mind, I do not say unnecessarily, I find this very curious fact. It was about two years, after that agreement was entered into and the companies were drawing their water, that the water examiner discovered that this increased quantity was being taken. Taking the report of February 1888, he says, "It appears from a communication recently received from the Thames Conservancy Board, that under agreements entered into between the Conservators and the under mentioned companies in December 1886, the maximum quantity of water allowed to be taken by the said companies from the river during every 24 hours from midnight to midnight was increased from 20,000,000 gallons each to the following quantities." Then he speaks of Chelsea 22,000,000 gallons, Grand Junction, Lambeth, Southwark, and Vauxhall, and West Middlesex, 24,500,000 gallons, bringing the total up to the 130,000,000 gallons a day of which I spoke. That is the report of the water examiner for February 1888.

Mr. *Bristowe.*

4485. Have you any doubt about the right arising with regard to the latter 20,000,000 gallons or the whole 130,000,000 gallons?—The 20,000,000 gallons. I am not at all clear on the subject.

4486. It is the 20,000,000 gallons you have the doubt about?—Yes.

Mr. *Freeman.*

4486. You do not put it higher than that; you think it is a matter which requires investigation?—I think so; it is not at all clear.

Mr. *Freeman*—continued.

4488. I am not going to take you into the figures at all, because they have been already given, but it is perfectly clear, is it not, that at the present time the population using the Thames water has very largely increased, while the flow of the Thames water is less than was previously anticipated?—Yes, that is the general result of the experience, that the anticipations of the Duke of Richmond's Commission as quoted by Sir Thomas Farrer the other day have not been realised.

4489. I will now ask you this as an engineer: What is the effect of that large abstraction of water upon the Thames as it passes through the metropolis itself?—I consider, looking at it from that limited point of view, it is very dangerous if it is going to be continued.

4490. First of all, of course, it leaves a far less amount to flow down the Thames from the Teddington Weir?—It does.

8491. Secondly, the water so abstracted is returned into the Thames lower down at Woolwich, in the shape of clarified sewage?—It is.

4492. Is it the fact that that clarified sewage by the action of the tide is constantly passing up and down?—Inevitably; all the way from Teddington down to Greenwich there must be a large amount of impurity passing into the river, especially in storm time, in the shape of overflows from sewers, and that oscillates backwards and forwards in front of our doors in London, and the only thing that causes it to pass away is the upland water that comes down the upper reaches of the river over Teddington Weir. If that water is decreased to a larger extent than it is at present, a very serious state of affairs will arise; because we know the state into which the river got only in recent years, 1885 and 1887.

4493. So that you are steadily abstracting the force which drives the impurities out to sea?—Undoubtedly. On that point I should like to be permitted, if the Committee will allow me, to correct some figures that occur in this report which was put in by Sir Thomas Farrer on page 5. It is with regard to the average discharge at Teddington Weir of the river during the month of August 1885, and the month of August 1887. In August 1885, there were 210·2 million gallons discharged through Teddington weir. Those figures were kindly furnished to me by the officer of the Thames Conservancy, and represent the average flow for that month. At the time that report was written, very hurriedly within a week, I did not know exactly what was the amount of water taken from the Thames at that time by the water companies. I now find, from the examiner's report, that it was 97·8 million gallons; so that the correct volume at Teddington Weir for the total Thames would have been 308,000,000 gallons, showing that 31·75 per cent. had been abstracted on the average during the month of August 1855. Taking the same figures, and not to weary the Committee, for 1887, I find the average abstraction during August, 1889, was 29·65 per cent. Then as regards the minimum discharge in 1885, and August 1887, similar figures below show there was an abstraction of 37 per cent. in August 1885, and 39·6 per cent. in August 1887. That

is

Mr. *Freeman*—continued.

is a state of affairs which I think is very dangerous to be allowed to continue. It is one utterly and entirely unknown in any of the works sanctioned by Parliament for the water supplies of other districts. Where companies or corporations take water from a river they are made to give back compensation in kind. In the Appendix to this Report the Committee will see some cases quoted, and it will there be noticed that a depth of nine inches off the drainage area is a common quantity to put down as compensation, compelled to be sent down. The average flow in the Thames over Teddington weir per annum, as far as I can make out, is 9¼ inches. That is to say the compensation which Parliament requires large corporations to give, after they have taken all the water for their own purposes, often amounts to as much as the whole flow of the Thames proportionate to the area as at Teddington weir throughout the whole year.

Mr. *Bristowe.*

4494. How are those figures arrived at? Do you say that the Thames Conservancy gauges are incorrect, and that you have corrected them?—I corrected the figures of the average daily quantity abstracted from the Thames by the water companies from the water examiner's report. In my report of October last it will be noticed that the quantity abstracted during those months was 84 million gallons. I now find it is 97·8 million gallons in August 1885, and 101·1 million gallons in August 1887. That alters the whole figures through the calculation.

Mr. *Freeman.*

4495. I understood the question to be where did you get that correction from?—I got a series of corrections from the report of the water examiner for those months.

4496. In the same may have you considered the supply to the Lee?—I have.

4497. And you find, do you not, that under the Royal Commission of 1869 it was anticipated that not more than 50 million gallons daily should be taken from the Lee supply?—That was the opinion of the Duke of Richmond's Commission, after carefully inquiring into the whole question.

4498. In 1890 what do you find; was the actual water abstracted by the East London and New River Companies?—As will be seen from the table I have put in, it amounted to nearly 73,000,000 gallons a day; that included the flow from the river and wells.

4499. Partly from the open river and partly from wells in the valley of the Lee?—Yes; and of course, including the springs up at the head of the New River works.

4500. What do you find the effect of that increased abstruction has been on the lower stream of the river?—To reduce it in summer time to a stagnant pond; the water is all practically absorbed.

4501. And is that a constant source of complaint in the neighbourhood?—That is a constant source of complaint in the neighbourhood, and complaints have been made to the council

Mr. *Freeman*—continued.

every month since I have been in their service. Since March last we have received complaints on this subject.

4502. Do you find that the pumping on the wells of the Lee Valley has had any effect?—It no doubt has had an effect. I will not tell the Committee my opinion, but there are other witnesses coming from the county of Hertford who will speak more particularly as to the facts.

4503. In your opinion, should no further supply be taken from that source?—Certainly not; or I may say from the Thames either.

4504. And apparently, so far as the Lee is concerned, one of the companies which draws upon it takes the same view; because I see the last London company went for a supply, as long ago as 1867, to the Thames?—They did so, and as late as February of this present year they are drawing, in addition to what they can obtain from the Lee, 4,000,000 gallons a day nd more, and it is hardly reasonable to suppose they would draw that from the Thames if they could have got it in their own valley in the Lee.

4505. I want to ask you one question only about the chalk wells in the Kent Company. At the present time I believe the water from those wells is very pure?—No doubt it is the purest water that is supplied to London. Of course I must say, in admitting that it is the best, that it is an exceedingly hard water; but while I make that admission I must guard myself by saying that I do not think that the chalk wells will always remain pure for this reason: the chalk wells are fed from drainage areas which are rapidly becoming covered with population, and as population gathers in those drainage areas, especially if they pursue the pernicious system of making cesspools as is done up the Thames, those sources of supply which at present are very pure will become contaminated. I would ask the Committee to refer, if they think it is worth while, to the Twelfth Annual Report of the Local Government Board, Appendix B., pages 138 and 139, where it is pointed out that the wells do undoubtedly become subject to the same contamination as the river, although to a less extent.

Sir *Henry Roscoe.*

4506. What wells are those?—The wells of the Kent Company which apply to London.

Mr. *Bidder.*

4507. What is the date of that report?—1882–83.

Mr. *Bristowe.*

4508. Is sewage capable of percolating to that enormous depth?—Yes, there are cases on record. Medical witnesses will tell you, in Switzerland, of water contaminated by typhoid excreta passing through a whole hill and poisoning the people in the next valley.

Mr. *Freeman.*

4509. One short question as regards the chalk under London itself: do you consider that a good source of supply?—It is certainly a good source of supply. It is now very nearly exhausted. I have

Mr. *Freeman*—continued.

had prepared for the information of the Committee a map from the records of the Geological survey showing the chalk wells that have been sunk in and about London. They are about 215 in number, but owing to the fact that the water is failing in the chalk owing to the excessive pumping, the whole of those wells are not being worked at the present time. Formerly, at the commencement of this century, the water, in many cases rose to the surface; at the present time it is very much below the surface. The depth below the surface varies in different cases, but I think it may be taken not unfairly, at an average of about 40 feet below Trinity high-water mark.

Sir *Henry Roscoe.*

4510. Can you give us the total amount of water raised in those 215 wells?—I could not; I have often tried to get it. It is supposed by some to amount to ten million gallons a day, but I do not think the figures are very reliable.

Mr. *Freeman.*

4511. I think you have mentioned the water level as being about 40 feet below Trinity high-water mark?—It is.

4512. And the chalk crops out somewhere about Erith, does it not?—It does; and what I should fear would be if any great or continuous pumping was carried on from the chalk under London, that a risk would be run of drawing into the chalk the water from perhaps one of the least cleanly parts of the Thames.

Wednesday, 10*th June* 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART, IN THE CHAIR.

CORRECTION:

IN yesterday's evidence, page 264, Question 4465: "Upper Valley of the *Wharfe*" should read "Upper Valley of the *Worth*."

For the document referred to in the answer to Question 4493, *see* Appendix T.

Chairman.] IN view of the period of the Session at which we have arrived, the Committee desire to intimate to the parties that they do not require any more evidence from the opponents of this Bill against the Trust as proposed in the Bill before the Committee; that they do not, under the circumstances, consider themselves in a position to examine into, or report upon the quantity or quality of the present supply of water, or the means by which any additional supply may best be obtained. They have already intimated that they think no more water should be taken from the Thames than is at present authorised. I think that intimation will be sufficiently understood. Shall I read it again?

Mr. *Pember.*] If you would not mind, Sir, we wish you would.

Chairman.] I will read it again, and then I shall be prepared to answer any question on behalf of the Committee to explain what the view of the Committee is: In view of the period of the Session at which we have arrived the Committee intimate that they do not require any more evidence from the opponents of the Bill against the Trust as proposed in the Bill before the Committee; that they do not, under the circumstances, consider themselves in a position to examine into or report upon the quantity or quality of the present supply, or the means by which any additional supply may best be obtained. They have already intimated, as we have done before, that they consider no additional water should be taken from the Thames beyond what is already authorised.

Mr. *Pember.*] On that last point, which is the one I was pondering over for the moment, I assume that that declaration of opinion would be limited to this, no water to be taken from the Thames as things stand; but you would not preclude, I assume, the possibility hereafter, if proper storage reservoirs could be provided, the taking of water from the Thames Valley?

Chairman.] I should consider that as another question.

Mr. *Pember.*] That is what I mean, Sir.

Chairman.] You see the object of the Committee is this: that really at this period of the Session, with the Bills in the condition in which they are before us, and with other facts in view, the Committee feel that it would be impossible for them to conduct what would be a satisfactory and exhaustive inquiry, and one which would enable them to express an opinion as to whether the present supply was sufficient or good. Nothing has been alleged which calls for any defence on the part of the companies, so far as the Committee can see, and feeling that, they think that it would be very undesirable to commence calling scientific or engineering evidence which would not go into such a question as the present sources or the future sources of supply.

Mr. *Pember.*] There is one thing more which perhaps you will forgive my asking about. As we are not to bring any evidence against the Trust, as proposed by the Bill, and as it was a trust or a commission, as proposed by the promoters of the Bill which was to purchase the water companies, are we to go into the question of purchase. I ask that, again, also bearing in mind what the Committee said at the very beginning of this inquiry as to not going behind the declaration of 1880.

Chairman.] I think that the Committee would desire to have some further evidence which would enable them to form an opinion as to what they should recommend with reference to the compulsory, or non-compulsory, purchase of the water companies.

Mr. *Littler.*] May I say one thing on behalf of the Corporation of London, Sir; that is this: that although you intimated an opinion that the Bill as presented to you would not need the

requirements of the public (we have considered, of course, that intimation very carefully), we are of opinion that within the Standing Orders we might assist the Committee in moving the important question; at all events, further forward than it is at present; and we should be prepared at any time when the Committee think it is a convenient stage for us to do it, to suggest to you an amendment of that Bill which we think might be of great value to the Committee. I am quite prepared to do that, not at the moment, of course, because we were not expecting the decision to come so early, although we ventured to think that it very likely might come; but I should certainly be prepared by to-morrow morning to present to you suggestions for bringing the great question of the water supply forward within the lines of the notices upon which we have come for that Bill, so that your labours might not be wasted, and that the Session might not be wasted as regards this important subject.

Mr. *Moulton.*] I may say with regard to that, on behalf of the London county council, that we have considered the matter of the City's Bill, and we also are of opinion that it might be altered in such a way as to avoid the objections which the Committee felt to it in its original form, and to advance considerably this most important question, and to do it in such a way that it could be put in a form in which legislation this year could take place upon it, the effect of which legislation would be to enable and empower a suitable body to take the necessary steps for legislation at as early a date as possible on the subject of the water supply. Of course we should suggest that it should be altered along the lines of the arrangement come to between the City and the London county council, making the London county council, with its statutory committee, the two parties that was to be empowered, in future, to take the water supply question into its hands and to prepare the Bills necessary for the exceedingly difficult scheme that is required for doing so. If that were done we cannot help thinking that it would greatly lessen the time and accelerate the date at which a satisfactory solution of this question might be arrived at. I believe that according to the forms of the House the Bill is still before the Committee, and still in a condition it which it may be managed.

Mr. *Littler.*] I should just like to add one thing, Sir, to show you exactly what the position of the Corporation is: we should be quite prepared to submit our Bill to you at such a convenient time as you may indicate as soon as we can formulate that which has been passing through our minds, and to deal with it as though it were a draft Bill giving our reason for what we might indicate to you and leave you to make such alteration and improvements in it as your experience, and the evidence before you, might induce you to insert. I should be quite content that my Bill should be dealt with on these lines, and to mould it in the way the Committee might think fit, not in the ordinary way of the promoters seeking to secure something for themselves, but seeking to assist you, as far as we can, in carrying out the public objects upon which you have been sitting so long.

Mr. *Moulton.*] I do not know whether I might add another word from the point of view of the county council. The importance of the announcement of this morning is so very great that it will need a very careful examination of what evidence really we are now called upon to put before the Committee. I find great difficulty in doing that after the announcement that the Trust, as proposed, is not acceptable to the Committee, because there is now no proposal, as it were, before the Committee in which the vital point of the body that is to take in hand the water question is defined; and I shall have a deal of difficulty in excluding evidence (with all my desire to save the Committee from hearing evidence which they do not desire) bearing on the nature of the body that ought to take it in hand. If, therefore, the Committee would allow my learned friend's Bill to be amended, and that to come before the Committee as a substantial proposition, I think that then I should be able to regard that as the proposition before the Committee, and could then very much shorten my evidence and make it much more relevant. I confess it is a thing that I most earnestly desire to do, because irrelevant evidence is very undesirable.

Mr. *Pember.*] I hope you will allow me to say a word, Sir, on behalf of the water companies. It goes without speaking that we have been brought here at very, very great expense to ourselves to discuss certain Bills which were referred to you in concert, of course, in connection too, with certain instructions given to you by the House, I believe; but those were the Bills we came here to discuss, and with regard to one of them the Bill which it is now proposed to revive, I would just call the attention of the Committee to this fact, the fact that you dealt with it on the 28th April in the following terms: "The Committee have considered this matter very carefully, and they have come to this resolution: They are of opinion, on the opening of the case by Mr. Littler, that no Bill can be satisfactory, dealing with the questions referred to this Committee, which merely constitutes a public authority to promote Bills in Parliament." Therefore practically this means "we cannot see our way to passing the preamble of this Bill." Now I have never known in the whole course of my experience of a Bill, of which the preamble has thus been rejected by the Committee being revived. It is a perfectly new Bill, or rather it will be a perfectly new Bill, which has never been read a second time by your House, and about which no instruction has been given to you.

Mr. *Littler.*] I am quite sure if you had read the preamble of the Bill you would not say so.

Mr. *Pember.*] I have read the preamble of the Bill in my time, I daresay, more than once; what I mean to say is this, whatever the preamble of the Bill may contain the preamble of the Bill has been rejected by this Committee.

Mr. *Littler.*] Indeed it has not.

Mr. *Pember.*] Then I am at a loss to understand the meaning of words.

Mr. *Littler.*] It has been on the Votes every day since and has simply been postponed.

Mr.

Mr. *Pember.*] Then, as I say, I am at a loss to understand the meaning of words. However, the Committee know what they have done. Do not let you and I wrangle about what the Committee have done. I take leave to read their words: They know what they meant by them, and they will be able, no doubt, in discussing this matter among themselves to make up their minds, without our assistance, as to what they did mean by them; but I say these are the Committee's words.

Chairman.] We did not intend absolutely to kill the Bill.

Mr. *Pember.*] Then, Sir, I will merely add this one remark ——

Chairman.] We had in view something like what has now occurred, the possibility that the Committee might see their way to assist forward this important question by some amendment of some Bill before the Committee; I no not say whether by the present one or by the other Bill.

Mr. *Pember.*] Then, Sir, I have not another word to add, except this: In what I have said the water companies intended to show no desire, and they have no desire, to thwart the Committee in any way in carrying out the fullest inquiry into the water question of London. Therefore, that being your position, I have not another word to add.

Mr. *Balfour Browne.*] May I ask one question ——

Mr. *Pember.*] The only thing I should like perhaps to say is this: I do hope we shall at a very early period see the shape which, obviously, through the agreement with the county council and the City Corporation, the Bill is to take, so that we may know where we are, and what we have got to face and what we have got to deliberate amongst ourselves upon.

Chairman.] I do not feel sure whether the course proposed will be the most convenient one, or whether the Bill before the Committee, in itself, does not present a means of carrying out the same object; and I need hardly say that the Committee will not put anything in any Bill or report affecting the interests of the water companies before they have heard what the water companies have to say and have fairly considered the position.

Mr. *Pember.*] With regard to the method of procedure, Sir, so long as we know what is proposed and what is intended, I have not a word to say. That is entirely in the discretion of the Committee, of course; but would you allow me to say, with regard to that last suggestion of yours, Sir, that if you intend to work upon the present Bill, at all events the attitude of the City with regard to the present Bill, and of the county council with regard to the present Bill, must be well declared before the water companies show their case, so that we may know what we have got to meet; and therefore I simply repeat an application which I made at a very early period of this inquiry, and that is that the water companies' case against any Bill that may be proposed, or any Bill that may be, so to speak, tinkered with a view to making it acceptable to Parliament, must be heard last; that is but fair: we are the attacked parties, and must know what the attack is.

Chairman.] Yes, I think that is very reasonable.

Mr. *Balfour Browne.*] Might I say just a word upon your decision? You have decided that no further water beyond the 130,000,000 gallons should be taken from the Thames——

Chairman.] We never said "130,000,000 gallons," because we do not know enough about it. We have no evidence upon which to say whether that is the authorised amount; we only gave an indication, and I am careful to say that we do not express a very definite opinion upon it, but, so far as we have seen, we are of opinion (and in saying this we think we are not stating much more than a truism) that the present Parliamentary powers of taking water from the River Thames, as now exercised, ought not to be exceeded.

Mr. *Balfour Browne.*] I followed that point, and will be able to give evidence about it; but I was going a little further. You did not say anything about the River Lee. Now for Hertfordshire, I am interested in the Lee, and I would only like to know whether the Committee decide that no further water should, on any pretence, be taken from the River Lee.

Chairman.] There are, as I understand, no Parliamentary limits on the River Lee. That is the reason why the Committee did not express its opinion about it. It obviously would require a little more inquiry to enable them to do that. The reason why it is not put in, as I understand, is that there are no such limits in the case of the Lee as exist in the case of the Thames.

Mr. *Balfour Browne.*] I believe there are no statutory limits on the amount of water; but Hertfordshire is here to ask you to put a statutory limit upon the amount of water taken from the River Lee. You might, of course, have said (but you did not, as I understand now,) that no more water than is at present being taken shall in future be taken from the River Lee, and we will give evidence to show that it ought not to be taken.

Mr. *Pember.*] There is only one other thing I should like to add, now that I have heard my learned friend's remark about the River Lee, and the Committee's reason for excluding that from the present announcement, and including the Thames. Of course, if you mean to say that under no circumstances, in your judgment, ought Parliament to sanction the further taking of water from the Thames, even without the making of storage reservoirs, then allow me to say that you have taken no evidence whatever on that subject; and I am bound to tell you at once that with regard to that point the companies would be prepared with the very strongest evidence to show that the amount of water taken from the Thames has had no bad effect whatever upon the Thames below the point of intake.

Chairman.] We have not said so.

Mr. *Pember.*] Then I must be forgiven for suggesting that at present, although you may hold that opinion, it is an opinion that you have not

not allowed yourselves to test by any inquiry, and, so far, it would go down upon the records of the House——

Chairman.] The Committee made that indication some days ago.

Mr. *Pember.*] I know; but we have had no opportunity of calling evidence.

Chairman.] No, that is true; I admit that.

Mr. *Pember.*] We have had no opportunity of calling evidence, and I must be permitted to say that a declaration of that kind, made as the final opinion of a committee specially constituted, as this one is, and embodies in a report, would have an effect upon the future of the water companies, and on the future course of legislation with regard to that particular subject-matter, which would be, to say the least of it, extremely awkward; because posterity in the shape of a future Parliament would not be informed in the event of any discussion, probably in the House itself, that that declaration was made without hearing any evidence whatever from the water companies as to the conditions under which that amount was taken, or the effect upon the river of taking that amount, and the conditions under which that amount might hereafter be exceeded or the effect upon the river below the intake of taking anything greater than that amount even without the storage reservoirs. I therefore wish to amplify what I said about the distinction; about taking more water without the storage reservoir and taking it with, by saying that you really are prejudging, without inquiring into the question of where the future supply for London should come from.

Chairman.] This opinion of the Committee cannot possibly be held to exclude any scheme which, by storage reservoirs or otherwise, might compensate the River Thames and add to it.

Mr. *Pember.*] Quite so, Sir; but then what I contend also is this: that inside that question comes the somewhat narrower question as to whether, after all, the ultimate capability of the Thames as a source of supply, even without storage reservoirs, is exhausted. I am quite ready to admit that upon a slight information, fancy, and even sensible and generally well-informed people, might be against such a possibility; but I can only say that, having for my sins to inform myself somewhat more carefully upon the matter, probably, than others have had to do, or than most others have had to do, I do say that there are two sides to that question, as there are to every other. I am bound to say that very plainly.

Mr. *Pope.*] I would only say, Sir, that it is desirable that the Committee should guard the declaration in the sense which you have just intimated. What you did say, I understand, the other day was, that you would not sanction or authorise anything, such as taking further water from the Thames; that is to say, you would not do anything which would prejudice that question in favour of their being a future source of supply there any more than we should desire that you should prejudice it in the interests of those who take the supply; and if the Committee would guard their declaration as a purely neutral expression of opinion, that they take no action, either on the one side or the other, but leave that open to future and further discussion and evidence, then, of course, you would deal with the question without any prejudice to the case either one way or the other.

Mr. *Bidder.*] Certainly, Sir, on behalf of the company that I represent, the Southwark and Vauxhall, we should very strongly, respectfully, deprecate any expression of opinion by the Committee upon that subject which might prejudice future proceedings unless the matter had been gone into, and we had been heard upon it. I am quite sure, Sir, you will see at once it might place us at great disadvantage; and the expressed opinion of the Committee might be quoted hereafter in a way perhaps that the Committee did not intend it to be quoted as a dictum of Parliament upon the subject.

Mr. *Rickards.*] I hope you will allow me to say one word, Sir.

Chairman.] Certainly; I just want to deal with this one point, with my colleagues, in the first instance.

Mr. *Pember.*] Would you forgive me if I boldly ask you to reconsider the question among yourselves kindly, whether you think that those last words on that particular topic, under all the circumstances, are worth your enunciation at this moment.

The Committee conferred.

Chairman.] With reference to the point which Mr. Pember has put, and other counsel, the Committee have had some little difference of opinion about it before; it was put in because they had already given an indication about it and therefore wished to make it clear; but they do not wish to prejudice the question, and are willing to withdraw that opinion altogether. We feel we have not received exhaustive evidence which would enable us to give any authoritative opinion. It was rather put in more as a declaration that we had already given an intimation to that effect; therefore, perhaps the discussion about it had better appear on the notes.

Mr. *Pember.*] If you please.

Mr. *Rickards.*] Would you allow me to say, Sir, on behalf of the promoters of the Bill, that reading your decision as I do, I ask to be allowed to remind you of what I said in my opening remarks upon this Bill to the Committee, namely, that the exact constitution of the Water Trust by direct representation was not a vital part of the Bill. Of course, Sir, the position we are now in, or may be in, on behalf of the promoters, is, that the Committee having possibly in their minds decided against the Bill, we should be put in the position of incurring a very heavy burden of expense in remaining here, unless we were permitted, when the opportunity comes, to make some suggestion ourselves, as an alternative to the trust that is proposed under the Bill. There is no doubt, as I opened the Bill to the Committee originally, that within the notices that were given of the Bill in November, we can propose any alteration in the constitution of the trust. The notices of the Bill provided for a trust. We adopted, not without discussion, direct representation by those electoral areas, but it is within the terms of the notices,

notices, that we should suggest an alternative; and therefore, what I ask is, that when the time comes, we should be allowed to do so. I do not wish to do so now, but as the Committee have been good enough, I think, to express some approval of the principles of the Bill generally, I do not say how much, that is in the minds of the Committee, if we are to be kept here. I do not use the term in any sense offensively, I hope; and, of course, to continue to bear the burden of the expense of the Bill, so far as the promotion is concerned, that we should be allowed hereafter, when the time comes, to make our suggestions.

Mr. *Littler.*] I do not quite follow. Who is keeping my friend here, Sir, if he chooses to stay?

Mr. *Rickards.*] One moment. In view of the decision of the Committee, inasmuch as we are the only parties who have a Bill before the Committee at all, you have already decided against the principle of the London Water Commission Bill, inasmuch as we are the only parties in possession of the field, so far as a Bill is concerned, and as we can do so within our notices, we ask that we should be allowed to bring forward other suggestions for the constitution of a water authority; or, Sir, in the alternative——

The Committee conferred.

Chairman.] Mr. Rickards, with reference to your suggestion of inserting alternative proposals, the Committee would like to ask you this question: Supposing the Committee were to come to the conclusion, towards which their minds are rather leaning at present, that they would be inclined to accept the proposals of the London county council and the City together, with reference to the authority to be constituted, suppose they were to lean in that direction, would that be a kind of alternative proposal which you would be competent to insert in the provisions of your Bill?

Mr. *Rickards.*] Certainly.

Chairman.] And would the promoters of the Bill accept that view of the situation?

Mr. *Rickards.*] I will answer the first question first, if I might, Sir: Certainly competent. All the notices of the Bill, and all that the Preamble refers to is, that one or two of the water authorities should be constituted, either a water trust, or the London county council. If the Committee should be in favour of the statutory committee of the London county council and the Corporation combined, I think there is no doubt that that would be within the notices, as being a "water authority" or a water trust, the word "trust" has no magic in it, a water authority of the kind indicated both by the notices and by the preamble of the Bill. Of course the London county council are named in the Bill in the alternative. With respect to the other question, I think I should like a little time to consider the proposition, as to whether it would be altogether acceptable to the promoters of the Bill.

Chairman.] Oh, yes, I think you are entitled to that.

Mr. *Rickards.*] With regard to the power of the Committee to do it, I have no doubt whatever under the notices of the Bill. There is only one other matter which I think I might perhaps assist the Committee a little in. Of course you will understand, Sir, as you have all along, with regard to the supply from the Thames and the Lee, we leave it exactly where it is; under the Bill, I say it with all respect, there is no occasion for the Committee to give any indication whatever or decision on the subject as it arises, so far as this Bill is concerned.

Chairman.] That is so, certainly.

Mr. *Littler.*] I venture to say this, Sir: that the preamble of my friend's Bill is partly gone already, because he has abandoned the recital, that "it is expedient that the duty of providing such supply should be imposed upon a public trust, or, in certain events, upon the London county council." Another portion of the preamble is obviously undesirable, because it says that: "it is expedient that the duty of providing the same should be vested in a single public authority, with power to acquire, by agreement or otherwise, the undertaking of the aforesaid water companies." That leaves only the preamble, "Whereas the area within which the water companies mentioned are authorised to supply water comprises the metropolis and the adjoining populous districts." Well, that is a preamble which does not want any proof or approval, therefore there is nothing left of my friend's preamble on which to work. On the other hand, the City preamble, which I should venture to say is the one on which we ought to work is: "And whereas, with a view to improving such reply, and also with a view to diminishing the expense thereof and of equalising and uniformly adjusting the existing charges, it is expedient to constitute a public authority which shall represent the interests and command the confidence of the water consumers;" that is a preamble which can be worked upon, and on which as I say we, representing the City, having no possible interest in this matter, except the public interest, are perfectly content to take such moulding as the Committee may prefer, after we have submitted all our proposals (which we will try to do as clearly as we can) are perfectly prepared to accept whatever decision the Committee may come to with regard to the matter. And let me say one thing more: my learned friend says he is kept here; I want to point out this,—that there can be no better method than to take the City proposal, because the City has the funds from which to provide the method for your consideration, and it will be no burden upon anybody, ratepayers or anybody else. There is one further consideration, and that is this: that, without making the suggestion that those who pay the piper should call the tune (to use an old expression); at all events, the City and the county council, towards whom you at present incline, are surely to be the persons who should have the conduct of the proposals before Parliament. We are prepared to represent, not only ourselves, but to represent in concert the county council; the consequence is that we, being the persons to whom at present you incline as the persons to be entrusted with whatever duty is imposed by you upon anybody, surely, Sir, ought to have the conduct of that, and the preparing of it; because

because we know what our duties are, what our powers are, and how best to present a scheme to the Committee. Surely, to entrust the vestries with the duty of proposing what powers and what duties are to be imposed upon somebody else, is hardly reasonable. Therefore, I venture to say, the scheme of the City Bill is the one to adopt.

Mr. *Rickards.*] I hope you will hear me a word upon that, Sir.

Chairman.] Certainly.

Mr. *Rickards.*] First of all, you have already decided against the City Bill, on the ground that it provides no machinery whatever for enabling the so-called "trust," which was representative of the watershed of the Thames, to carry into effect the objects of the water authority; there is absolutely no machinery for that.

Mr. *Littler.*] Our notices are wide enough for it.

Mr. *Rickards.*] Wait a moment. In the second place, Sir, with regard to the preamble, the first part of the preamble will stand, if you substitute the statutory committee for either the London county council as a whole, or the water trust. Allow me to read it, Sir: "Whereas the area within which this Act is intended to be in force comprises the metropolis and the adjoining populous places, and is the area within which the water companies mentioned in the first schedule hereto, in this Act referred to as the scheduled companies, are authorised to supply water, and is in this Act referred to as the "Metropolitan Water Area." The present position is that you have struck out Rickmansworth and Leatherhead, and the eight water companies remain, as they did in Lord Cross's Bill, and the area they supply is the metropolitan water area that stands. "And whereas, with a view to improving such supply, and at the same time diminishing its expense, it is expedient that the duty of providing the same should be vested in a single public authority" (that will stand) "with power to acquire, by agreement or otherwise, the undertakings of the aforesaid water companies." (I think that will stand.) "And whereas it is expedient that the duty of providing such supply should be imposed upon a public trust." (I take it that the statutory committee will be a "public trust" for the purpose of water supply to the metropolitan water area), "or in certain events upon the London county council." I need not deal with that. Now, Sir, I see nothing in that preamble that will not stand, if we accept the statutory committee of the London county council and the Corporation of London; and since I last stood up I have conferred with Mr. Wilkins and those who instruct me, and I am prepared to say this: that, although we did prefer our trust, still we considered the importance of dealing with this question without delay in regard to the probably greater expense if it is left to another period; and we think the importance of dealing with this question of acquiring and placing the London water supply in the hands of a public authority so great, that rather than it should be delayed any longer, we are prepared, loyally, to accept the proposition that the statutory committee of the London county council and the Corporation of London should be the water authority. This Bill provides a complete machinery; it may be defective in certain points, but it provides a complete machinery for carrying out the objects and purposes of a central water authority, in whose hands the undertakings of the water companies shall be vested. The London Water Commission Bill is a mere skeleton of a Bill, providing a very heterogeneous Water Commission to deal with the question; there is no machinery in it, and inasmuch as this question has been carefully thought out by the vestries, and they have been the original movers in the matter, the whole of the machinery, and considering that this Bill affords a basis of discussion of all the questions that can arise in connection (to say nothing more of it) with the supply of London by a water authority, whereas the London Water Commission Bill, which you have already rejected, provides no machinery; I think, if we accept (as we loyally do) the decision of the Committee with regard to the statutory committee of the two bodies (it being competent for us within our notices to do so) you will be of opinion that this is the Bill on which you ought to proceed, as it is the only Bill before you at the present moment.

Mr. *Moulton.*] Will you kindly allow me to add a word on this matter. I can do it from a somewhat impartial point of view because I have no Bill before the Committee. It seems to me, if I might respectfully suggest to the Committee, that it is most important in the first place that there should be before the Committee a worked-out proposal by the bodies interested, namely, the London Corporation and the London county council, of the scheme which the Committee have already said they feel favourably inclined to, namely, that the water authority should be that which the London county council and the Corporation propose. It will manifestly assist the Committee greatly that they should have an authoritative proposition from the people interested in the matter who are to be the authorities; and as the City is willing to alter its Bill in accordance with the arrangement come to with the London county council, apart from all question of which Bill should be discussed, it would be clearly an advantage, I think, that that should come before the Committee. Then with regard to whether the discussion should be on the one Bill or the other, I should like to remind the Committee that the London Water Commission Bill is a private Bill and must go through; whereas the other is a public Bill, and may be blocked at any time; and the whole results of this Committee may thus fail entirely. Therefore it is very much better to discuss the case entirely upon the private Bill; and then, thirdly, I must say this: that I cannot understand how my learned friend Mr. Rickards can stand up and represent his Bill to be the matured decision of the majority of the vestries in London, if the mere dictum of Mr. Wilkins, whose ability and whose interest in the matter I do not deny for one moment, can entitle him to turn the Bill inside out, and to throw overboard what is really, one cannot help feeling, and what has been regarded throughout as the vital principle of the Bill, namely, the constitution of this Water Trust. I should submit therefore that the Bill, which it would be best to have before the Committee and on which the discussion

discussion might best turn, would be a proposal to alter the form of the Water Commission Bill, which would represent the wishes of the London Corporation and of the London county council; and I feel no doubt that we shall be able to alter that Bill in a way which will get rid of the greater part of the opposition to legislation after the announcement that the Committee have made this morning; and I should propose that it would be best that there should be an adjournment sufficient (I do not suppose more than a day would be necessary) to enable that Bill to be put into an acceptable form as an embodiment of the arrangement that has now been come to, and that then the Committee should decide, after they see that Bill, what course they should take.

Mr. *Rickards.*] I am not entitled to reply, Sir; but I may remind the Committee that both Sir Thomas Farrer and Mr. Cripps have declared their inability to propound any definite scheme.

Mr. *Moulton.*] Oh, no, no; not at all.

Mr. *Rickards.*] Absolutely so, except as to the constitution of the statutory committee; repeatedly they declared as to what outside authorities they would wish to take, and a thousand other topics.

The Committee further conferred.

Chairman.] There is a preliminery question about which, I think, the Committee would like to be informed. Supposing that this, being a private Bill (the City Bill), which therefore might have a reasonable chance of passing this Session in some form or other; supposing the Committee were to deal with that Bill, would it be possible to put into that Bill any clauses with reference to powers of purchase?

Mr. *Rickards.*] No, certainly not, Sir. It is not within the notices. I have the notices here.

Chairman.] It is not within the notices; that is exactly the point I want to hear about.

Mr. *Rickards.*] No, Sir, it is not.

Mr. *Littler.*] No, Sir; I do not think without getting a suspension of the Standing Orders we could get the power to compulsorily purchase, but we could have the power of agreement for purchase, that is quite clear.

Chairman.] The Committee have not formed any opinion, or come to any conclusion as to whether they could do so or not.

Mr. *Littler.*] I am simply answering your question for the purpose of assisting the Committee. We could clearly buy them by agreement, but not against the companies' assent: we could not do it unless they assented, but if they assented to it we could. They would be the only people affected by the want of notice, but certainly we could try agreement to begin with, and of course we could apply next year for compulsory powers, if in the meantime they had not agreed.

Mr. *Rickards.*] It is not covered by the Bill of the Corporation.

Mr. *Littler.*] Let me point out that no time would be lost, for this reason: even supposing there were power for compulsory purchase, it would be then necessary to have an Act of Parliament for winding up the companies, and making all the provisions for that; therefore you must come next year, and in the event of failing to agree, if the consumers were represented by this Commission, they might come for power of compulsory purchase at that time.

Mr. *Moulton.*] There is a direction to the Committee too, I think, which would give it wide powers with regard to this Bill: "That it be an instruction to the Committee on the London Water Commission Bill that they have power to inquire into all matters connected with the nature, price, management, sources, and sufficiency of the water supply of London and its suburbs, and to insert in the Bill such provisions in connection therewith as in their judgment are expedient."

Mr. *Pember.*] That is not purchase.

Mr. *Rickards.*] No, that would not give it.

Mr. *Moulton.*] It is "management."

Mr. *Rickards.*] There are a great many other matters besides purchase, Sir, which are not contained in that Bill.

Mr. *Pember.*] I do not think you could put purchase in.

The Committee further conferred.

Mr. *Moulton.*] Might I first add one word, Sir; that is this: That it occurs to me that if the companies, when the Bill comes up, were too decline to accept such a power as you have asked about (that of compulsory purchase) obviously they would equally decline the public Bill; and then the Bill would be lost.

Mr. *Rickards.*] It is part of the provisions of the public Bill that they should be empowered to sell.

Mr. *Littler.*] It is very unlikely that time would be in any way lost by taking permissive powers this year, and, if necessary, asking for other powers next year.

Mr. *Rickards.*] There are compulsory powers in the public Bill, and there is no doubt that could be carried out by Parliament. Notices have been given of that. There are no compulsory powers in the Corporation Bill, and no notice has been given as to that. It would be simply relegating it to another decade probably.

The Committee further conferred.

Mr. *Moulton.*] I do not know whether it would assist the Committee if my learned friend Mr. Rickards, and my learned friend, Mr. Littler, were to try their hands, and there were an adjournment until to-morrow. I should have to ask the Committee to allow me not to call any further evidence until I had had an opportunity of considering how much evidence could be dispensed with, in consequence of what has passed to-day. It occurs to me that if the day were spent in that way it would not at all commit the Committee to any line of action; but it might assist them if they saw what was arrived at, and what was proposed on the other side.

Chairman.] If the Committee had thought there was any chance of the promoters of the Bill before the Committee coming to an agreement with the City and the county council (because, after all, the bodies are very similar),

they would have adjourned without any further question; but the Committee thought that the promoters of this public Bill and the promoters of the City Bill were entitled to an expression of opinion from the Committee as to which Bill they would take up when they next met. That is rather the difficulty of the Committee at the present moment.

Mr. *Pember.*] That decision had better be given now, Sir. It must be given sooner or later.

Mr. *Pope.*] I cannot help thinking that the last clause of the Bill is the most important to the promoters.

Mr. *Rickards.*] I do not see it. It is not so from a public point of view, certainly, of Mr. Pope. It is a very good joke; but it is not well founded.

Mr. *Pope.*] I think it is.

The Committee further conferred.

Mr. *Rickards.*] My learned friend, Mr. Pope, Sir, with a mercantile twinkle in his eye, has referred to "the last clause of the Bill." As a matter of fact, I find that the last clause of the Bill refers to the appointment of a committee by the London county council to manage the water business.

Mr. *Pope.*] I have looked at it, and I see it is Clause 52 instead of Clause 54. You have put it out of its usual place.

Mr. *Rickards.*] The clause I am referring to is page 33 of the Bill, Clause 55.

Mr. *Littler.*] As that seems to be a consideration with some people, Sir, let me point out that you will considerably increase the cost of this inquiry if you take the Vestries' Bill, because the county council and the City must both be here in addition to the vestries; whereas, the other way, the vestries might very well trust themselves to the care of the county council.

Mr. *Rickards.*] But we have a petition against the Water Commission Bill.

Mr. *Littler.*] I do not think you would go on with it.

Mr. *Rickards.*] You think not. Perhaps we should not.

The Committee further conferred.

Chairman.] The Committee would still rather give an opportunity to the promoters of the Vestries' Bill and to the other parties to come to some agreement, if possible, and they would propose to adjourn to to-morrow at two o'clock, if that gives time enough, or, if it does not, then until next Tuesday. The Committee then would like to have the proposals of the City and the county council as to the form in which they would submit this private Bill, and then we should be prepared to come to a decision as to whether we would go on with that.

Mr. *Littler.*] If that be so, Sir, I think it would be more convenient (because there would not be very much time saved by adjourning until to-morrow at two; there would not be much done afterwards) if you were to adjourn until Tuesday. Then the city would bring up the proposals which they would seek to incorporate in their private Bill.

Chairman.] One of the objects which the Committee have in view in intimating that they might possibly go on with this Bill is that the question might be helped forward in the interest of all parties; therefore, we must not lose too much time.

Mr. *Littler.*] I quite appreciate that; and my object in suggesting that is that you might by that time have in a properly prepared shape that which would be to our mind the best scheme, that of the London county council and the City, and in that way, as far as possible, let our opponents know too.

Mr. *Moulton.*] Mr. Littler, I should think to-morrow at two would be the most convenient time.

Mr. *Littler.*] No; I am not proposing to-morrow.

Mr. *Moulton.*] I should suggest that these things are done much better if done quickly. If you leave much time people put it off. It is much more likely to be done if we have to meet this Committee to-morrow at two o'clock, if Mr. Littler would give way on that.

Mr. *Pember.*] And then you will get the decision for Tuesday, moreover.

Mr. *Littler.*] I want to point out that that leaves only a couple of hours for the work to be done.

Mr. *Moulton.*] You can do your work sometimes very quickly.

Mr. *Littler.*] I do not mind; say to-morrow at two, if that is preferred.

Mr. *Pember.*] It is only this: it would be much better that we should come here to-morrow and ascertain which is the Bill we are to proceed upon. We should then have until Tuesday to prepare our evidence.

Mr. *Moulton.*] I think it would be a great advantage that we should know soon. It will be almost impossible to go on regularly with the evidence until we do know.

Chairman.] That is the object of the Committee. The Committee desire to do justice to both parties, and do not desire to give a decision to-day that might operate unfavourably to one party or the other; and they do hope that some agreement may be possible between the promoters of the Vestries' Bill on the one hand, and the Corporation and the London county council on the other.

Mr. *Moulton.*] I think all parties will try to make this as effective as possible.

Mr. *Littler.*] Then let us say two o'clock to-morrow.

Chairman.] Yes; two o'clock to-morrow.

Mr. *Balfour Browne.*] Before you go, Sir, may I say one word on your decision. By the terms of it I fear that you do not intend to inquire into the quality or quantity of the water or into the sources of supply. Now for the Hertfordshire county council I am exceedingly anxious to be heard upon the question whether, whoever has the water supply of London in their hands should be allowed to take away water from Hertfordshire that Hertfordshire requires for its own use; and, therefore, Sir, I hope

hope you will allow us to be heard This is our only chance. You say you are going to inquire into the question of the purchase of the water companies; that is to say, you are going to look into past legislation. I ask you also to look into past legislation by which two of the water companies take way the water from Hertfordshire that it requires for itself.

Chairman.] We have already explained that time alone would prevent the Committee doing it. Time alone would prevent the Committee from going into such a very large question.

Mr. *Balfour Browne.*] I do not want the Committee to go into the general question, but this is a question cognate to the one upon which you have withdrawn what you did say about taking more water from the Thames. It is connected with that very question; the question is, whether the companies shall be allowed to go on pumping any amount of water from the wells in Hertfordshire and from the River Lee.

Mr. *Pember.*] In other words, nearly the whole of the East London supply would be withdrawn from London if you were to come to that decision.

Chairman.] I am bound to say it appears to the Committee that they really have not time to go into that inquiry now.

Mr. *Balfour Browne.*] Very well.

Chairman.] I will consider it with my colleagues before to-morrow, because I should be very sorry to stop any opposition or any representation; but I believe the Committee have clearly come to the decision that the examining into the present supply, and the possibilities of additional supply being required, and whether too much is being taken from certain parts or not, is a very big question, and one which, at this moment at all events, this Parliamentary Committee is quite unable to take up with any hopes of giving a decision this Session.

Mr. *Balfour Browne.*] All I can ask you to do is, to consider it with your colleagues. This is an exceptional case. I think it is out of the general question altogether of the general efficiency or quality of the water or sources of supply.

Chairman.] I must remind Mr. Balfour Browne that, upon the question proposed of taking the Leatherhead and Rickmansworth Water Companies, the Committee felt that they could not exhaustively go into that subject, and they expressed an opinion adverse to what was sought to be done; they said they certainly would not sanction it in any Bill before them. It is postponed.

Mr. *Pember.*] Besides, you would absolutely stop the East London supply if you acceded to my learned friend's suggestion.

Chairman.] It is postponed. We postpone the examination of the question from this Committee to its successor, or to some other body.

Mr. *Pember.*] We should have to give an enormous mass of evidence upon it, and have immediately to bring in a Bill, if the decision were against us, to enable us to go to Wales or some other place to replace the water of which we should be deprived.

Mr. *Balfour Browne.*] As I understood, one of the things in your mind still open, was whether any more water should be taken from the Thames.

Chairman.] No.

Mr. *Pember.*] No, it is not open.

Chairman.] We decline as a Committee to go into that question at all.

Mr. *Balfour Browne.*] You decline to go into that question?

Chairman.] I do not see how it is possible. Mr. Pember has said, and it is obvious that if you go into the question as to taking away the present Parliamentary powers of supply of the East London. how is it possible that such an inquiry can be conducted, when we have to settle the very important question of what is to be the water authority of London. and that, in the middle of June. I think the most charitable thing to do for your clients of Hertfordshire, is to inform them, so far as that is concerned, that they need not appear in the Committee Room any longer. It is the decision of the Committee, which is perfectly well understood, that we cannot do it.

Mr. *Balfour Browne.*] I should advise my clients not to appear if you were not going to inquire into the matter; but when we see the City Bill, we will see if we are affected by that; we may have to be heard upon that.

Chairman.] Certainly; and if you wish me to reserve the final decision, I am quite willing to consider it until to-morrow.

Mr. *Rickards.*] Of course we shall not be ready with any clauses to carry out the suggestion of the Committee to-morrow; it will merely be a meeting with the Corporation of London and the county council to endeavour to arrive at some heads of agreement,

Mr. *Pember.*] Why will you not be ready; we all hope you will be.

Mr. *Pope.*] What is the use of our coming if you are not going to be ready.

Mr. *Rickards.*] It is too short a time in which to frame them.

Mr. *Pember.*] Oh, dear me, no.

Mr. *Rickards.*] Definite clauses?

Mr. *Pember.*] If you agree upon what the Water Trust should be, I will undertake to draw the clause for you in ten minutes.

Chairman.] We are anxious that you should, if possible, come and support the proposal of the City and the county council. If you can do that in any way that will be acceptable that will save a great deal of trouble; and if you cannot, then the Committee will give their decision as between the public and the private Bill.

Thursday, 11*th June* 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdock.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Littler.*] I AM very sorry to say, Sir, that there has been no *modus vivendi* arrived at between the promoters of the Corporation Bill and the vestries; I must say I do not want at the moment to say what the difficulties have been, but it does not seem to me on the views which they take that it is possible to arrive at any agreement. I do not think the Committee would care, as efforts have been made to do that which the Committee wished to have done, to go into the details of any question of that kind, but would simply like to know what it is that the City, in conjunction with the county council, desire to propose to the Committee. In that sense we have altered the Bill. Now, Sir, we bring before you this Bill amended, so far as possible, to meet all the objects which we think can be met in this Session, and so as to meet the views of the Committee, as far as we have been able to gather them from the various interlocutory discussions and decisions that we have had. We propose to amend the preambles, beginning with line 5 of the first page; you will see in the preamble we strike out from line 5, and in place of it, in line 4 read: "and it is expedient that the provisions hereinafter contained should be made with reference thereto." Then, on the next page, we strike out Clause 2, in obedience to the wish of the Committee, and we substitute the first paper (Paper A), and, instead of the clause, the marginal note of which is "incorporation of commission," we substitute a clause, the marginal note of which is "appointment of water committee"; that clause reads: "for the purposes hereinafter mentioned there shall be constituted a water committee, which shall consist of 48 members, or of such other number (being a number divisible by eight)." You will follow the reason of that; it is because the City is an eighth, "as shall be from time to time agreed upon between the London county council and the mayor, aldermen, and commons of the City of London in common council assembled, hereinafter called the corporation. One-eighth of the members of such committee shall be appointed by the corporation, being such fit and proper persons as they shall select, and the remaining seven-eighths of the members of such committee shall be appointed by the London county council from among their own body [except that they may appoint not exceeding persons" (that blank they will fill up for themselves) "not being members of the London county council, to be members of such committee."]

Mr. *Moulton.*] If my learned friend will allow me, I will explain those words being in brackets: it will be necessary that the London county council should decide as to whether they will take powers to appoint persons outside the commission. The representatives of the London county council do not feel that they are aware of the opinion of the council upon that point, and we have put in that way before the Committee, hoping that the Committee will allow us to take the opinion of the London county council.

Chairman.] The Committee must not be held to have done more than to have expressed an opinion that they thought that this proposal afforded a basis to which they were inclined to lean as a settlement; nothing further than that.

Mr. *Moulton.*] We quite understand that, Sir.

Mr. *Littler.*] That has been the object of the City, Sir, in preparing this and putting it before you as being something on which, as I said yesterday, we ask you to work, having done the best we can to provide you with some substantial ground to work upon, and leaving it entirely to the Committee to mould it as they think fit. That disposes of Clause 2. Then Clause 3 now reads, "The London county council shall have power to from time to time, promote Bills in Parliament for all or any of the following objects." The first of these objects is the alternative supply, and this sub-section stands as it is printed. Then the second is, "To acquire or take on lease any existing or future waterworks," and so on; which is very much the same as it formerly stood. Then, thirdly, comes the dissolution of the companies; and that is much the same as it stood, except for verbal amendments. Then Sub-section 5 is very much as it stood, with more verbal amendments. Sub-section 6 is struck out. Sub-section 7 is merely amended verbally. Then there is Sub-section A. Sub-section B. is struck out, in consequence of the views which have been expressed during the

the progress of the case. Sub-section C. is merely verbal. Clause 4 is struck out; and Clause 5 is struck out. Then, in place of Clauses 4 and 5, we take in Papers C. and D. "B." is too small to take up the time of the Committee with; but in Paper C. in front of the Bill you will find this: "There shall be delegated to the water committee absolutely and without reference to the London county council all the administrative and executive functions of carrying on the supply of water from any works acquired taken on lease or constructed by the London county council. Provided always that this Act shall not delegate to the committee any power of (A) purchasing, acquiring, or taking on lease, or selling, disposing of, or letting on lease any such works; (B) constructing any works for obtaining water from any new source of supply; (C) The raising of money by creation of stock or borrowing (otherwise than temporarily for such purposes) and not exceeding such a limited amount as the London county council may from time to time determine; (D) Any alteration in the principle of charging in respect of water supplied or of the levying of rates therefor." You see the object of the whole of that is to leave it to the county council, and not to the committee. Of course on that I do not conceal from myself that there may be a very large difference of opinion, as to whether the water committee would not be the better people for that.

Sir *Algernon Borthwick.*] The City disappears out of this.

Mr. *Littler.*] The raising of the money?

Sir *Algernon Borthwick.*] The corporation here disappears.

Mr. *Littler.*] As soon as the water committee is constituted according to this section, all the work will be done by the water committee, with the exception of those four heads, A, B, C, and D, and you are quite right. As it stands at present, the London county council seek to have the veto with regard to these four sections. You are perfectly right, Sir, in your interpretation of that, and as I say again, we are here simply to try the best we can to give you a basis on which to work.

Mr. *Lawson.*] Excuse me interupting you, you strike out 8 as to possible payment.

Chairman.] We have not come to that yet.

Mr. *Lawson.*] Oh! we have not come to that yet. However, I will not interrupt you, Mr. Littler.

Mr. *Littler.*] I am very glad, Sir, to be interrupted by any honourable Member. It is only assisting in the discussion. I not only do not resent it, but I am thankful for it. Clause 8 is struck out. Clause 9 is merely a formal one.

Mr. *Lawson.*] Why do you strike Clause 8 out, there has been no opinion expressed upon that.

Mr. *Littler.*] I am bound to say it is struck out, so far as I am instructed, on account of a strong feeling upon the part of some members of the London county council. I am here to present this as it stands; but I am bound to say that if the management is to be valuable, my own individual opinion would be that it would have been better to have kept something of that sort in; but the view taken by some of the parties is that they are public servants, and that there ought to be no payment of them.

Mr. *Lawson.*] If appointed outside the corporation of the City they will presumably be experts.

Mr. *Littler.*] That is what passed through my mind, Sir; at all events I only know that an expert in my own profession is not worth much if he is not paid. Then Clauses 10 and 11 both go in consequence of the alteration of the situation, Then there is a definition of what the "undertaking" means. Then there is a definition of the water account, and then of course the schedules go. That is really the basis which we venture to think may be one on which the Committee may possibly work; and especially after the question which was put to me by the honourable Member on your left, I am bound to say that we place the thing entirely before the Committee for their judgment, having, so far as we can, simply put before you matters on which the corporation and the City have come into accord; and, having done that much, it seems to me that there is here a basis on which you can work. Now, Sir, I do not know what the view of the Committee will be, or whether they would be disposed to consider this at once. We have saved a good deal of time by coming here to-day, because it is now before everybody. I do not know whether you would desire to go on and discuss this clause by clause now, or whether you would prefer to fix another meeting, when everybody will have had an opportunity of looking at the Bill, and either assenting to it or expressing their reasons against it. I am, of course, in the hands of the Committee; but, with regard to that, I am ready to go on now.

Chairman.] The Committee have not decided whether they will take up this Bill or not.

Mr. *Littler.*] No; I mean to say assuming that they do.

Mr. *Rickards.*] There is a good deal to be said first.

Chairman.] The peculiarity of the position is the private Bill before the Committee.

Mr. *Littler.*] The first thing to decide is whether you will go on with any Bill; but I quite understood, Sir, yesterday that you inclined to the opinion that unless the vestries and the corporation and the county council agreed, you were disposed (although you did not express anything more than that) to say that the basis should be brought up by the City and the county council. I am bound to say that there is considerable advantage in that from many points of view, because the vestries obviously do not represent anything like the whole population of London, whereas, presumably, the City and the county council together do. That is all I can say with regard to it. I may say this, Sir; that the only other question there is, as between the corporation and the county council is this, that the county council would be disposed to insert a clause, from which we should not dissent, empowering them to proceed with the purchase forthwith.

Mr. *Lawson.*] By agreement?

Mr. *Moulton.*] Yes, by agreement.

Mr. *Littler.*] Yes, by agreement, not by compulsion. That is one to which we should not object. The clause is this: "The council shall have power—(1.) To purchase or acquire or to take on lease, by agreement, any waterworks or any water, or right to take or convey water and any lands, rights, powers, and privileges, or the undertaking of any water company. (2.) To supply water for all public or private purposes within all and every part of the district supplied with water by any company whose undertaking shall have been purchased, acquired, or leased by the London council." Now to that we not only have not the least objection, but we should assent to it. There is not the same difficulty of Standing Orders with regard to that that there would be in a compulsory acquisition. It is simply power to agree. Therefore, that might be within what might reasonably be done.

Mr. *Rickards.*] Can you give me a copy of that, Mr. Littler?

Chairman.] Is that so, Mr. Littler?

Mr. *Rickards.*] I hope you will hear me on that, Sir?

Chairman.] Certainly, but I only want to clear up the thing. Is it perfectly competent on the part of the Committee to insert in the private Bill provisions to give this body (supposing we were to assent to it) power to proceed by agreement according to the notices.

Mr. *Littler.*] I think it is competent for you so far as "to agree" is concerned; but I do not think it would be competent in a private Bill to give power to compulsorily purchase.

Chairman.] Certainly not; I am not asking that question for a moment. As I understand, the Bill that you now put before the Committee is a Bill to establish a body to come to Parliament for certain objects. We have already decided that we do not wish to go beyond that

Mr. *Littler.*] We have avoided the difficulty you pointed out early in the proceedings. It is not merely to do that; it is to have power to make agreements for purchase. In addition to their having the power to agree it is also to have power to make regulations as to "the strength, character, weight, and materials."

Chairman.] That was in the Bill already.

Mr. *Bolton.*] You must add this clause to the Bill if there is to be any power to buy by agreement.

Mr. *Littler.*] Oh certainly, I quite agree, Sir, and that clause is one which the county council desire to have, and one which will certainly give more power than the power to promote Bills in Parliament.

Mr. *Bolton.*] Yes.

Mr. *Pember.*] But on the other hand I should like to say, before you go into a long discussion of the Bill, that this would absolutely come within the meaning of your decision at the beginning of these proceedings, namely, that you considered "that no Bill can be satisfactory, dealing with the question referred to this Committee, which merely constitutes a public authority to promote Bills in Parliament." If it were not for that one clause this Bill would still fall within that category. That is what is proposed. Forgive me for saying that I, for one, though I never pretend to know what the practice of this House is, feel a very strong doubt indeed, and I am backed by the opinion of skilled Parliamentary agents who do know the practice of the House; it is excessively doubtful whether you could insert in a private Bill such a clause as that which is proposed. And in this Mr. Rees (whose experience is worth ten times mine) says it is quite clear you could not. Inasmuch as that is is the only point in which this Bill differs from the Bill as it originally stood so far as your initial decision goes, is it worth while to go any further in the matter at all, until, at least, you have made up your mind whether or not under the forms of the House you can insert in the Bill that which differentiates it?

Chairman.] Certainly. The Committee would not proceed until they were perfectly clear that they might insert in the other Bill something more than is contained in this.

Mr. *Pember.*] On that point I never presume to know or to pit my decision, but I do know what my suspicion is (and it is exceeding strong), namely, that you could not; I will not say authoritatively you could not, but I say that Mr. Rees, who is an authority in these matters, is very strong in my direction. I therefore suggest that before you make up your minds to deal with this matter at all you should take the opinion of the authorities of the House as to whether the proposition to differentiate is within your power.

Mr. *Littler.*] It is perfectly within the terms of the notice because it is to confer upon the commission power. I have just asked for the notice, and it says this: "To confer upon the commission all such powers and authorities as may be necessary or expedient for giving effect (amongst others) to the following objects, or some of them, and to empower them to promote Bills into Parliament with respect to such objects, or some of them (that is to say): (*a*) The acquisition, construction, and maintenance of waterworks, acqueducts, wells, reservoirs, and works, for securing an alternative or independent water supply. (*b*) The acquisition by agreement, or upon such other terms as may be authorised by Parliament, or provided for by the intended Act, of any existing or future waterworks, or any water, or right to take or convey water within the watersheds of the Rivers Thames and Lee." It is perfectly plain."

Mr. *Pember.*] That is all in the Bill.

Mr. *Rickards.*] That is all in the future.

Mr. *Littler.*] I beg your pardon.

Mr. *Rickards.*] "And to empower them to promote Bills in Parliament."

Mr. *Pember.*] That is all a power for the Corporation?

Mr. *Littler.*] No, it is not; it is the commission.

Mr. *Pember.*] This is not their commission?

Mr. *Littler.*] I am advised by my agent (I have the greatest respect for Mr. Rees, but I have

have greater respect still for my own agent) that it is competent. Now here it is: "To constitute and appoint, or to make provision for the constitution and appointment, and to incorporate a public authority or body, to be called 'the London Water Commission,' or by such other name as the intended Act may prescribe (hereinafter called 'the Commission')" so that that would apply to everybody constituted by you, "representing the interests of the water consumers of the City of London and the county of London, and adjoining boroughs and populous places, and if thought fit to provide for the appointment on the commission of representatives of the Corporation of London, the London county council, and other county, municipal, and local authorities, companies, and bodies interested in the water supply of the metropolis," and so on, "and to confer upon those authorities, companies and bodies, all such powers as may be necessary or expedient for improving or regulating such supply, and for giving effect to the objects of the intended Act, and to make all proper provision for defining and regulating the constitution and reconstitution and powers, duties, and obligations of the commission, the nomination," and so on, of the officers. "To confer upon the commission all such powers and authorities as may be necessary or expedient for giving effect (amongst others) to the following objects or some of them;" and then as a seperate clause: "To empower them to promote Bills in Parliament with respect to such objects or some of them." But you may leave those words out altogether for this purpose; and "for giving effect" (amongst others) "to the following objects or some of them." "That is to say, (*a.*) The acquisition, contruction, and maintenance of waterworks, aqueducts, wells, reservoirs, and works; for securing an alternative or independent water supply. (*b.*) The acquisition by agreement, or upon such other terms" (which is certainly stronger than I thought it was) "as may be authorised by Parliament, or provided for by the intended Act, of any existing or future waterworks, or any water, or right to take, or convey water within the watersheds of the Rivers Thames and Lee: and any rights, powers, and privileges of any water company, or of any public authority therein. (*c.*) The dissolution and winding up of any company whose undertaking may be acquired, and the application of the purchase money. (*d.*) The supply within such area as Parliament shall from time to time authorise or direct, of water by meter or otherwise, for all necessary public and private purposes (including, if thought fit) a free supply to public baths, washhouses, and hospitals), and the carrying on as trustees for the inhabitants of such undertakings as the commission may by authority of Parliament acquire or construct." Then "(*e.*), The regulation, until the acquisition by the commission of the undertaking of any company, or during such other period as the intended Act may provide, of the price or rate to be charged or levied for the supply of water by such company, and the mode of calculatiug or ascertaining the same, and the dividends (on a sliding scale, or otherwise) to be paid by such company, with a view to the equalisation or uniform adjustment of the price or rate to be charged or levied within the area aforesaid. (*f.*) The making of regulations for prescribing the strength, character, weight, and material of the appliances to be fitted, after the passing of the intended Act, in connection with the supply of water within the City of London, and the county of London, and for enforcing the stamping thereof—" which I have pointed out is in our Bill. (*g.*) The appointment of committees jointly with any county councils, municipal corporations, bodies of conservators, and urban and rural sanitary authorities interested in the control or management of the Rivers Thames or Lee, and the respective tributaries and water sheds thereof, out of their respective bodies for improving and preserving the sanitary condition of such rivers and their respective trbutaries and watersheds. (*h.*) The raising of money for the purposes of the intended Act and of the Commission, on such securities and in such manner as may be authorised by Parliament. (*i.*) The making and holding of any public or private inquiry into the existing supply of water within the said watersheds, and the charges made for the same, and into the present and possible future sources of such supply, and the entering into negotiations with any public authority, water company, or person for the acquisition of any of their powers or undertakings, or any part thereof. (*k.*) The alteration of the members, constitution, and powers of the Commission, and the obtaining all such further powers as they may deem expedient for giving effect to the objects of the intended Act. To empower the Commission to purchase and hold lands for any of the purposes of the intended Act, or of their constitution, and to provide fit and proper offices and conveniences for holding their meetings and transacting their business. To make provision for the payment out of such funds as may be prescribed by the intended Act, or authorised by Parliament, of such fees, salaries, compensation, allowances, and expenses to the members of the commission and their officers and servants, and to the directors and officers of any company whose undertaking may be acquired by the Commission, as the intended Act may prescribe or sanction, or as Parliament may from time to time authorise. To provide for the payment by the corporation to the Commission for the purposes of the intended Act, of such sum or sums of money as the intended Act may sanction or prescribe, and for the repayment thereof to the corporation at such time, in such manner, and with such interest, and out of such funds as may be prescribed or provided for by the intended Act. To confer upon the Commission all such further powers as may be necessary"; and then "to alter, amend, and enlarge, and where necessary or expedient to repeal, or to provide for the alteration, amendment, enlargement, and repeal of the powers and provisions of the several local and personal Acts."

Mr. *Pember.*] Yes, Sir; and what my learned friend has not noticed is this, that all those purposes he has read out, his *a*, *b*, *c*, *d*, and all the rest of his alphabet down to *k*, are governed by one short heading, and it is this, "To confer upon the Commission all such powers and authorities

authorities as may be necessary or expedient for giving effect (amongst others) to the following objects or some of them, and to empower them to promote Bills in Parliament with respect to such objects or some of them." That is the real meaning of it.

Mr. *Littler.*] I beg your pardon; I read it twice; but I will read it again if you like.

Mr. *Pember.*] Excuse my saying, and when I have said this it is all I shall say upon the subject: It is perfectly clear that if it was intended to give them substantively under this notice by a Bill to be promoted all the powers with reference to the objects mentioned afterward, which follow, it would be absolute surplusage to give them the power to promote Bills in Parliament for that purpose; because if they had got the power under a Bill this year they would not want the power to promote Bills next year.

Mr. *Littler.*] That seems to me a most inconsequential argument.

Mr. *Pember.*] It may be; but fortunately there are other persons who have got to consider it; and I venture to say, Sir, again, that until you have consulted some responsible authority of the House as to whether or not that notice covers the proposal that is now made, I think it might, and probably would, prove a waste of your time to embark on what is in this case proposed.

Mr. *Littler.*] I really thought my learned friend had done before, but I will call your attention to that again, "To confer upon the Commission all such powers and authorities as may be necessary or expedient for giving effect (amongst others) to the following objects." If we had not also added "to promote Bills in Parliament" the very moment this Bill had been promoted, inasmuch as this would be an authority on exactly the same kind as a municipal authority, who have to get special authority for promoting Acts of Parliament, or to run the risk of having to pay the costs themselves, we should have found ourselves in a difficulty; it is obvious, therefore, that it was necessary to give that power also. I know that "or" may mean "and" in an Act of Parliament, but I never knew that "and" did not mean to add something to what went before. If it does not mean to add something to what went before, I do not know what the letters a n d are in the English language; and if it stopped short at that paragraph "and to empower them to promote Bills in Parliament" it is plain——

Chairman.] We must judge your intentions by your Acts, Mr. Littler, and it appears to me that this Bill is, as we have had it from the first, simply to enable a body to be constituted to come to Parliament for powers; and that being the interpretation of the notice, I am bound to say (whether we have power to do it or not is another question), that it appears rather doubtful whether, according to the notice, there is the power. Your Bill is distinctly all governed by Clause 3, the Commission shall have power to come to Parliament for all the purposes which you have named, and which are set out in your notice.

Mr. *Littler.*] Yes, Sir, but we also take power in the meantime to agree for purchase; which if exercised would be a very valuable power to secure during this Session of Parliament, and on the intimation made the other day (that was our view), the form of the clause was all agreed with the county council. But there it is.

Chairman.] The other clauses might be less important, but this clause of purchasing or acquiring is surely a most important clause, and to put that in this Bill would hardly seem to me to be in accordance with the notice.

Mr. *Littler.*] There is another point which occurs to me with regard to the vestries Bill which I was going to draw attention to. I do not say it is not competent for Parliament to do anything it likes by a public Act. It may confiscate anybody's property, or order anyone to accept less than 20 *s.* in the pound; but will Parliament give power to acquire by compulsion from private individuals, where there has been no notice?

Mr. *Rickards.*] I beg your pardon. There has been full notice, last November, to everyone of these companies, as I will show you by my notices.

Mr. *Littler.*] That is a very grave question, because, as a rule, private matters are not dealt with by public Bills, unless it is something that affects every class of the community alike. That is laid down by Sir Erskine May.

Chairman.] That is the reason why this has come to a Hybrid Committee, so that all parties may be heard and the Committee do their best to deal with the interests involved.

Mr. *Littler.*] Still, that does not get over the difficulty that it is dealing with the property of individuals, which is not usually dealt with by public Bills. I want to point out one thing I have not mentioned. There is one power; that is as to making regulations as to the "strength, character, weight, and materials," and so on. And let me point out, Sir, that in looking at whether my learned friend is right in his construction as to the heading governing everything in the notice, which is "And to empower them to promote Bills in Parliament with respect to such objects, or some of them." One of the objects of Sub-section (*f*) is the "making of regulations," which certainly does not want another Bill in Parliament. I do not agree with my learned friends's argument.

Chairman.] Sub-section (*a*) do you mean?

Mr. *Littler.*] There is no power, no doubt, to introduce Bills with regard to that. That is a thing which is distinctly settled.

Chairman.] Sub-section, which do you say; (*a.*)?

Mr. *Littler.*] I will hand you the notice (*handing in the same*). My point is this, Sir: that that which my learned friend Mr. Pember says, is a catalogue, all of which we need a Bill in Parliament to do, includes making regulations, which is certainly a thing for which we should not need to bring in a Bill; we take power in this very Bill, therefore it is not one for future Bills. Obviously unless that sentence governs the whole, my learned friend's criticism is unfounded

founded. It seems to me as plain as it possibly can be.

Chairman.] Section 3 does not govern that. After Sub-section 7 of Clause 3 you have put in the words "The Commission shall also have full power" to make certain regulations.

Mr. *Littler.*] That is not my point, Sir. If you will look at the notice, my learned friend Mr. Pember says that that clause of the notice means that every one of those things we are not to provide for now, but by a future Bill. Otherwise his criticism is worthless. I say it is not so meant, but is intended to provide for some by the present Bill, and also to take power, if necessary, to provide for others in the future. And one of those very things he says we take power to provide for in a future Bill, we provide for in the present Bill; therefore, if any one of those clauses is not necessary for the future Bill, away goes the whole of his criticism. And just let me draw the attention of the Committee to another thing. If you will look below Sub-section K., you will see this: "To empower the Commission," not to get an Act of Parliament for it, but "to purchase and hold lands." "To purchase and hold lands" includes the whole of the water companies. They are all lands, land, it is true, mostly covered with water; but there is an absolute power given to come here for a Bill this year to empower the Commission to purchase and hold lands. It is obvious that the whole frame of this notice is much wider than the strictly limited point which the other side take.

Mr. *Bolton.*] If that is so, Mr. Littler, the Bill would not be as extensive as your notice.

Mr. *Littler.*] As I read the notice, Sir, the notice would cover almost any possible Bill, it seems to me. It seems to me to have been drawn particularly wide for the purpose of covering anything and everything.

Mr. *Lawson.*] Not only the powers in your Bill as originally introduced. The notice is far wider than the Bill.

Mr. *Littler.*] Far wider than the Bill, oh, dear yes; and what I point out is that within the terms of this notice the Committee are quite capable of making a much larger and stronger Bill than our Bill as now presented to you. It is perfectly competent for you to deal with it. We have given that wide notice intentionally, and as honourable Members are aware notices are always made wide, in order to cover anything that may turn up; and that is what I say, we have done here, we have made it as wide as it can be made; and it is quite competent for you, Sir, within the terms of our notice, to take my Bill, and so long as you do not travel without the words of the notice you may strike out everything except the words: "A Bill" at the beginning, and everything that this notice empowers us to do, you can do for us; and we leave the Bill with you with the intention that you should do what you think is right. We give it to you in skeleton, as far as we have been able to agree together, and having done that, we leave it to the judgment and to the knowledge of the Committee to make such a Bill as they think is fit for the public good out of it. Having given the Committee the skeleton of a Bill, so far as we can, we leave it to them to clothe it; and I say you can clothe it almost to any extent within the terms of this notice.

Mr. *Bolton.*] Do you mean to say that if you had chosen you could have put in a clause giving the new authority power to buy by agreement, instead of putting these clauses in the Bill, giving the new authority power to go to Parliament and promote Bills in Parliament for the purpose of buying?

Mr. *Littler.*] Quite so, Sir, because you see these words are here, "To empower the Commission to purchase and hold lands," which includes the whole of the waterworks undertakings. They are all "lands."

Mr. *Bolton.*] Why did not you put a power in to buy by agreement?

Mr. *Littler.*] We have put in a power to buy by agreement; that we have put in.

Mr. *Bolton.*] Where is that?

Mr. *Littler.*] It is in Clause 5.

Sir *Henry Roscoe.*] But it is not in your Bill?

Mr. *Littler.*] That is a clause I bring up as part of my Bill, and which I present to you as part of my Bill. Of course, Sir, we have had very little time for doing this, but I am told by my clients that the object of setting that apart was to emphasize the power which the Committee always have of pleasing themselves as to what they would do with it; but we bring that up as a separate clause, so that you may see what we are quite prepared to do; and I may go further and say we are quite prepared to do that which you tell us to do; and I must again point out the importance of having before you the people who have the requisite machinery and the requisite powers hereafter to do what they are told. Other people may find some difficulty, even if they are told to do it, in carrying it out.

Mr. *Moulton.*] I do not know whether I might be allowed to add on word one what my learned friend Mr. Littler has said. I cannot help thinking that my learned friend Mr. Pember's remarks to the Committee were really based, from no fault of his, but from the fact that he had only had a few minutes to read the notice, upon a misconception of the construction of the notice. It cannot be doubted that this clause is within the notice, and I may of course put forward, as an unchallengeable proposition, that the only objection to a clause is, that it is beyond the notice. That Committees perpetally go beyond the Bill; in fact you cannot put in an added clause without going beyond the Bill.

Chairman.] Certainly.

Mr. *Moulton.*] The whole question is whether it is beyond the notice.

Chairman.] The question is whether it is beyond the notice.

Mr. *Moulton.*] May I read those words, and I think the question whether it is in the notice is is really unarguable. "To confer upon the Commission all such powers and authorities as may be necessary or expedient for giving effect (amongst others) to the following objects, of some of them;" and here follow a string of objects.

objects, among which we find "the acquisition by agreement or upon such other terms as may be authorised by Parliament." Now it goes on and it says: "and to empower them to promote Bills in Parliament with respect to such objects or some of them." You are to get power under your Bill to give effect to the following objects; and lest it should be thought that you must do it all this year, and have no power to alter your condition another year, it adds to your powers the power of bringing in Bills with respect to these objects. It cannot possibly be contested where you have powers to get in this present Bill sufficient powers to do these things, and also powers to promote Bills in Parliament with respect to the objects, that the two are not mutually limiting clauses. They are independent clauses, and therefore I submit that it is quite clear that what it has said is this: "You may do it all in your Bill this year, but you are going to be a continuous body, and you shall have throughout all the period of your existence a power to promote Bills with respect to these objects." With all due respect to my learned friend Mr. Pember, whose opinion is, of course, of the greatest weight, I cannot help thinking that if he had had a little more time he must have seen that it is within the notice, and if it is within the notice, it is, as it were, as my learned friend puts it, bringing it before the Committee; and the Committee can do, what a Committee perpetually does, that is, within the limits of the notices add something to the Bill which is originally before them.

Mr. *Pope.*] I am a little puzzled for the moment to know who are the promoters of this Bill, and who are the counsel who represent the promoters. You have had several speeches made by counsel on its behalf; but at the present moment I am ignorant of what the Bill is. We have never been favoured with a copy of it; and, as a matter of course, before we can say anything in criticism of its provisions, it will be necessary we should have an opportunity of considering it. But upon this point, I take it that it is perfectly plain that the object and purpose of those original notices was to enable the Corporation to promote Bills, to enable them to do the various matters which are included in this schedule of objects.

Mr. *Lawson.*] The Commission, not the "Corporation."

Mr. *Pope.*] Yes, I say the Corporation Bill; the City of London Bill. I take it that to give a one-sided power would be nothing. It is no use giving to the Commission the power to purchase, unless equally the companies have got the power to sell; and the reason why this form of notice was adopted, that they were to promote Bills, was because, after they had made such an agreement, there must of necessity be a power to sell given to the company; and there would be of necessity, and there must be, the promotion of a Bill. I take it that the whole scope and purpose of this notice is not to give them the initial power, so to speak, of agreeing, because if you give that to the Commission it is no use unless the companies have power to agree too; agreements must be mutual. Therefore the very phraseology of the notice is this: "To confer upon the Commission all such powers and authorities as may be necessary or expedient for giving effect (amongst other) to the following objects"; and, in order to give effect to the "following objects" to enable them to promote Bills in Parliament with respect to them. But if, as I gather from the discussion, this particular Bill which is before the Committee now goes beyond the original suggestion of the Corporation Bill, which was to enable them to promote Bills for the object of works, that there should be an absolute power to agree given in this Bill, it seems to me to be clear beyond question that it must be beyond the notice; and, although, it is in the power of the Committee to model any Bill before it, so as to meet what it thinks is the justice of the case, it can only do that within the scope of the notice. Now, for instance, let me illustrate the matter: suppose you were to deal with this question as you are asked to do at this moment, the New River Company whom I represent, as you know, and as you have already been told, are landowners, and as landowners we should be entitled to landowners' notice, and any matter which would affect the question even as to an agreement with us to part with our undertakings. Our shareholders and everybody else put in would be entitled to notice. Our shareholders are individual landowners, and I am doubtful whether they would not require individual notice of any such power. That clearly was not contemplated in this original suggestion; and I venture to think, if the intention now is to clothe the Commission with a power to agree on that, clearly as it seems to me, I submit at all events, it is beyond the scope of the notices, which in terms were to enable the Commission to promote Bills, having for the object of those Bills the particular purposes of that notice but that without further confirmation they could not do anything of the kind.

Mr. *Giles.*] Perhaps, Sir, you would allow me to say a word with respect to this proposed bill before you, on behalf of the outside districts. I submit in the first place that the principle underlying the original Commission Bill was representation; and to show that we acted upon that idea, I may add in passing, that we merely petitioned against the Vestries Bill and we did not petition against the City Commission Bill. Now, Sir, if you will turn to the notices given with respect to the Water Commission Bill, it is quite clear that by the notices it is contemplated that the principle underlying the Bill should be one of representation, and that being the principle the outside districts would be represented upon the Commission. It is clear by the amendments submitted to the Committee that the underlying principle of the Bill is entirely done away with. The central authority now, instead of being a representative authority, is to be an authority composed merely of the London county council and the corporation of the City of London. The interests of the outside districts of the boroughs distinctly mentioned in the original Bill and in the notices are wholly disregarded. So that I submit, Sir, the amendments suggested, instead of being amendments, really amount to an entirely new Bill, which never received the assent of the House of Commons upon Second Reading. That is the objections

objections that I urge against the Bill before the Committee, and I do not wish to speak again; so that I would ask, in any case, if the Committee adopt this Bill, and permit these amendments; that as an outside district we should be allowed to be heard against the Bill, because we have not petitioned against any Bill which gave us a representation upon the proposed central authority.

Mr. *Moulton.*] Sir, I ought, after the remarks of Mr. Giles, to say that we were proposing to bring up a clause which the City quite agreed to which deals with the whole question of the outside districts. You, perhaps, have not seen the clause. Here it is (*handing same to Mr. Giles*).

Mr. *Giles.*] I have seen no clause. My submission stands.

Chairman.] Whatever the decision of the Committee may be I am quite clear that the outside districts would be entitled to be heard, unless we were precluded from hearing them.

Mr. *Moulton.*] Certainly.

Mr. *Giles.*] You will also take notice that the principle underlying the original Bill was representation.

Chairman.] Yes, but the Committee might have struck out that principle.

Mr. *Giles.*] My submission is that it is not competent to do that.

Chairman.] I think the Committee would be able to strike out the principle of representation if they thought fit. The Committee would have every desire to hear the outside districts if they went on with this Bill.

Mr. *Giles.*] I ought to say that the clause mentioned by my learned friend Mr. Moulton merely gives us powers which we should have under any Bill. It does not touch the question of representation at all.

Mr. *Rickards.*] Now, Sir, the issue, I take it, before the Committee is: will they proceed with the Vestries' Bill, or will they revive the London Water Commission Bill, or revive the ghost, or the skeleton, or the backbone, or whatever you like to call it, of the London Water Commission Bill, and build up upon it a different structure to what it originally bore. Now, why should you take the London Water Commission Bill in preference to the Vestries' Bill? Simply, as far as I can make out, the only reason suggested is that the Corporation of London are for certain purposes to be represented to the extent of one-eighth of the statutory committee. That is their only *locus standi* in the matter at all. They were the promoters of the Bill against which you decided, on a principle from which you have not gone back. The only reason why they claim to revive their Bill, and to come in and carry this matter through to an issue in place of the vestries is because the statutory committee suggested as the water authority to which the committee now lean will contain for purposes of administration a representation of one-eighth out of the total number of members of the statutory committee all important questions such as the acquisition of water undertakings, the raising of monies and so forth, to be referred back to the London county council, who at this moment have not got a Bill before you at all. Now what is there under the London Water Commission Bill which, having regard to the notices you could do, that you could not do under the Vestries' Bill? It is obvious that the Vestries' Bill whatever its defects are, contains a complete machinery for buying up the water companies, dissolving their undertakings, raising money for the purpose, and all the thousand and one objects which a water authority will have to carry out. I agree with my learned friend Mr. Pember entirely, and with what Mr. Pope has said with regard to the notices of the Water Commission Bill. I say most distinctly, and I know I am supported by Mr. Rees, and I believe I shall be supported by other agents in the matter, I believe most distinctly that those words which have been so much criticised and read over and over again to you about conferring upon the Commission all powers and authorities expedient for giving effect to the following objects, are all qualified and governed by the words, "And to empower them to promote Bills in Parliament with respect to such objects or some of them." If that be so I can have no manner of doubt about it whatever; the intention of the promoters is shown, as you have pointed out yourself, Sir, by Clause 3 of their Bill. Those general words at the beginning are governed by the words of limitation or qualification which follow after, namely, "to empower them to promote Bills in Parliament with respect to such objects." First of all it refers to objects generally, and says, "to confer upon the Commission all such powers and authorities" with respect to "the following objects or some of them, and to empower them to promote Bills in Parliament with respect to such objects. "You may split words as much as you like, but I do not think any sensible man would doubt that the intention and scope of that notice was that they were to have power, as the Bill proposed itself, to promote Bills in Parliament for those purposes. Under these circumstances, I think it is perfectly clear that the notice does not give them power in this initial Bill, which you have already thrown out, to purchase by agreement. Power to enter into negotiation does seem to have been conferred by the Bill; but a power to enter into negotiation and a power of purchase, which must be accompanied by a power on behalf of the company to sell, are two entirely different things. The London county council under their General Act of 1890, have got power to make inquiries, and anybody may negotiate without an Act of Parliament, and can approach anybody else; any company or body can approach anybody else and ask them what they will sell their undertaking for, and enter into negotiations as much as ever they like; no Act of Parliament is required for that; but when it comes to a power to take by agreement you must have distinctly a provision in the Bill, and you must have it distinctly in the notice, and the companies themselves must have powers to sell by agreement. The companies are in this position, that they have been constituted and authorised by Parliament to supply water. There is an obligation upon them under the Waterworks Clauses Act to supply the water They cannot get rid of that obligation to supply the water until they have power to sell their undertakings and a power to buy on the part of the

London county council. The statutory committee would be useless unless the companies could avail themselves of it too, and unless there were mutual powers on both sides. Where will you find such a power as that in the notice before you? Nowhere at all. Now, Sir, let me refer for a moment to the notices for my Bill. The notices for my Bill not only give the powers which are contained in the Bill itself; they give powers in the widest possible terms, and they particularise them. They authorise the London county council, or the London Water Trust (that is the same as a London water authority), "to make and carry into effect, if they shall think fit, agreements for the purchase of the undertakings of the companies hereinafter named, or any of them, or any part of such undertakings, or failing such agreement to purchase and acquire the same compulsorily on terms to be settled by arbitration in manner provided by the Public Health Act, 1875;" and as is usual in all cases in which a power to buy compulsorily is given, notices have been served upon all the water companies in respect of that power. Therefore, the preliminary stages are that we have given our notice that the power is governed by the notice, and, as I submit, is entirely ungoverned and uncovered by the notices for the London Water Commission Bill. If that is so, then you have the London Water Commission Bill before you as it was when it came before you and you rejected it on the ground that it only gave power to establish an authority to promote Bills in future in Parliament. That is the whole of that question. Now is there any power which this London Water Commission Bill confers upon the promoters which is not conferred by our Bill? It is obvious there is not. We have full power, and we have agreed, if you so wish us, Sir, to accept the statutory committee as the water authority. My learned friend Mr. Pember said that the Corporation of London were prepared to do anything to meet the Committee in any way, to accept any proposals that they might put upon them. Then why do not they accept our Bill with themselves as a statutory committee?

Mr. *Moulton.*] Which Bill?

Mr. *Rickards.*] The Vestries' Bill, which is now before the Committee. The vestries, Sir, are willing to accept the statutory committee, as we said before, if that is thought to be the best water authority that we can have; but they do think it is expedient and most necessary (in the interests of the public, of course), that they should have powers to deal with the undertakings of the water companies. That power, as you will remember, has been recommended, in very few words, by Sir William Harcourt's Committee; and, as I gathered, it is understood that the Committee were in favour of the substitution of a water authority for the water companies. You cannot substitute a water authority for the water companies practically, without acquiring the undertakings of the water companies. That is the point upon which we have been unable to agree. We have accepted the statutory committee if this Committee think fit, but we consider the matter will not be carried practically a step further if you merely authorise a statutory committee to come again to Parliament, the representatives of which may disagree among themselves; I do not think, Sir, you will with great respect, have carried the question of the water supply of London a step further in point of time, in that way; because the whole question will have to be threshed out again, when the Bills are brought in, as to whether these companies should be bought, and so forth. Therefore, I think it is common ground, if I may venture to say so, between the promoters of this Bill and the Committee, that the statutory committee should be empowered to deal with the undertakings of the water companies; that is to say, to acquire them. If, however, Sir, you think that the statutory committee should not have obligations imposed upon it by the Vestries' Bill which it is unwilling to accept itself; if you think that the argument that the statutory committee should not have the provisions, or some of the provisions, of our Bill forced upon them, we are willing and prepared to bring up clauses for the constitution of a water authority nominated by the county councils and the corporations (including the corporation of the City of London) within the water area. That is an alternative that we think might very well be adopted by the Committee, but we leave it entirely for the Committee to say whether the water authority should be the statutory committee of the London county council and the corporation, or whether it should be a body representing, and containing members nominated by, the London county council and the other county councils within the metropolitan water area, and members nominated by the corporations within that area, including the corporation of London. That is the alternative proposition. Now, Sir, you are in this position, that you have a public Bill before you which covers the whole ground, and you have a private Bill before you which, if you pass it in a form that is not in accordance with the rules of this House, will be rejected by the officers of the House (the Examiners on Standing Orders) before it reaches the next House. You have sufficient notices for all purposes under our notices, including, I may remark for what it is worth, a regulation of the existing water supply, but that, of course, we have not put before you, because we think that the water authority can do that hereafter. Of course, Sir, you will bear in mind that if you should be in favour of such a trust, a nominative trust representing the county councils and corporations, as I have suggested, it would meet the objections of a great many of the petitioners who object to the London county council being the water authority.

Mr. *Lawson.*] You mean all the county councils of the water area?

Mr. *Rickards.*] All the county councils of the water area. With regard to any (and I do not say *ad misericordiam*) equitable claim for the consideration of this Bill, I take it you will be of opinion that the vestries in expending the money they have, have assisted the Committee in the consideration of this subject.

Chairman.] Certainly.

Mr. *Rickards.*] And therefore if your minds, I was going to say, were in doubt as to these two Bills,

Bills, I think it would be fair that you should give the Vestries' Bill the benefit of that doubt. But apart from that, it is so obvious that we do cover the whole ground by notices and by Bill, that questions of procedure may be left out of consideration, and I think the question of procedure will be fatal. I do not know how far the Committee intend to consult the authorities of the House, but I think the question of procedure, that is to say, the ground covered by the notices for the London Water Commission Bill, will be fatal to their Bill, as introducing a new element, apart from the constitution of the water authority. There is one other question. My learned friend Mr. Littler said that he considered that the population of London would be represented on his revised Water Commission Bill, a Bill which has just been brought in, which the population of London (nor anybody else) can have had no time to consider; it is entirely *res nova;* it is entirely without approval or consideration by anybody but the Corporation of London, whereas the Vestries' Bill has been before the public a long time, and has been approved by many of the authorities of the metropolis.

Mr. *Russell Griffiths.*] I have a very few words to say on behalf of the corporation, in reply to the remarks that have been made. What I have to submit to the Committee——

Mr. *Rickards.*] I do not think there is any right to reply,

Chairman.] There is no right to reply; but at the same time it is rather informal, and we want to be possessed of everything.

Mr. *Russell Griffiths.*] I am entirely in the hands of the Committee.

Chairman.] We will hear what you have to say.

Mr. *Russell Griffiths.*] As regards the question raised about the notices, I submit that if it had been intended to confine the objects under the various alphabetical letters to the promotion of Bills in Parliament, the promotion of Bills in Parliament would have come first, and governed the whole thing. Then it has been pointed out to the Committee that the notice was made intentionally large, in order that the Bill might be made as large as possible when the Bill came before the Committee. As to what has been said about its being the Corporation Bill, the corporation have never asked to have more than a very small personal representation on the matter. I do not think I need labour before the Committee the point made by my learned friend, Mr. Giles, that the notice is out of order, because some of those persons in the schedule to the Bill that came first before the Committee, the authorities outside are not in the present Bill. I think, from what the Chairman has said, I need not labour that point. As to the notices necessary to be given to landowners, I certainly cannot agree with my learned friend Mr. Pope in saying that it is necessary to give notice to individual landowners who want to sell their land by agreement, because that is the whole power to be taken by this proposed new clause. If you want to compel the companies to sell their undertakings, you must give them notice, and go through all the formality; but if you simply give the Commission power to purchase or acquire by agreement, it is simply a question between the two parties; and I would point out to the Committee that it would be absolutely necessary no doubt for us to come before the House with a supplemental Bill to confirm the purchase, because we should have to deal with the dissolution of the companies, the superanuation allowances to the servants, and to wind up. As I understand the entire point before the Committee as regards these two Bills is really as to whether the water companies shall be purchased compulsorily, or by agreement, or whether there shall be a body formed who shall inquire and formulate a scheme to be presented to Parliament. I simply wish to point out to the Committee what Sir Thomas Farrer's evidence was on behalf of the London county council, and what we very strongly felt at the time, that if we put in any clause compelling us to buy the companies immediately or within a very short time, we might find ourselves in the very position which Sir Thomas Farrer pointed out, that whereas in future it might be necessary for the water companies to go further afield for an independent supply at their own cost, if they were bought now and it was necessary at some future time to have an independent supply, if that was done at the cost of the ratepayers that would have to be added to the cost of the purchase of the companies, and would greatly enhance the cost to the water authority of the undertakings they acquire. That was felt very strongly at the time. We in agreement with the county council, have amended this Bill to try and get it into a shape in which it will receive the approval of the Committee; and we hope that under those circumstances the Committee will say that they will advance the water question by one step, that is, by constituting a public authority who can deal with the matter by negotiation, and if necessary by agreement and inquiry.

Mr. *Pope.*] I would only just say this, not in reply to my learned friend, but in reminding him that even with powers to agree with a company, if a company is to agree, cannot stand in a Bill unless the company hold what is known as a Wharnecliffe meeting for the purpose of ratifying that. That shows, of course, that it cannot be done without notice. The companies would be affected even by powers to agree. It could not be left in the Bill if there were no Wharnecliffe meeting held.

The Committee-room was cleared.

After a short time the counsel and parties were again called in.

Chairman.] The Committee feel, as is obvious from what they indicated yesterday, that it is hardly likely that any effective legislation can take place this Session; but, subject to that, they consider that, on the whole, they will proceed with the Public Bill, the Vestries' Bill. They assume that the promoters of that Bill fully understand that the Committee think that they will ultimately decide that the authority should be constituted upon the basis of that which has been proposed by the county council

and the City, and which has been assented to by the promoters of the Vestries' Bill; therefore they would desire to go on with the evidence as indicated by the Committee yesterday, namely, upon any points that may arise upon the constitution of that authority, and the representation of outside areas, and questions which arise in connection with powers being given to purchase by compulsion, agreement, or otherwise the water companies.

Mr. *Rickards.*] Of course, Sir, we have closed our case for the Bill, and although we should be prepared to re-call Mr. Wilkins, if the Committee desired it, on any of those points. I presume, then, the course to be pursued will be that the London county council will proceed with their case upon the terms you have indicated.

Chairman.] They will proceed with Mr. Binnie's evidence upon the terms of that position. I may remind the parties, as it is now a long time since it was intimated, that the Committee think they would be promoting the case and saving the time and expense of the parties by indicating that they could not go into the large question of the sources of supply, and that they were not inclined to grant a trust as proposed in the Bill of the promoters; therefore, they gave that indication. After what has passed, they think they can best facilitate matters by going on with the discussion upon the Vestries' Bill, upon the lines I have already intimated.

Mr. *Pember.*] Mr. Binnie will go into the box again on Tuesday?

Chairman.] Yes; and we shall try to confine the evidence within the lines I have laid down.

Mr. *Rickards.*] Would you like to have a proposition before you for the nominative trust, Sir?

Chairman.] No. The Committee do not exclude such a thing from their own purview, but they have distinctly said that, subject to what they may hear, they think the proposals made by the City and the county council afford a basis which will enable them to report to the House something in that line, and not on the other line suggested by you, Mr. Rickards.

Mr. *Pember.*] And you adjourn to Tuesday, Sir?

Chairman.] Tuesday, at half-past 11.

Tuesday, 16*th June* 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdock.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR WILLIAM WHITE RIDLEY, BART., IN THE CHAIR.

Mr. ALEXANDER R. BINNIE, re-called in; and further Examined.

Mr. *Freeman.*

4513. WHEN I last was examining you, you had been dealing with the question of the quantity of water available?—Yes.

4514. I want now if you please to ask you a few questions about that portion of the Bill which is now before the Committee, which provides for the purchase of the water companies within a definite period; in your opinion, would it be a desirable thing in the present state of affairs that the authority whatever it is should be under compulsion to acquire the companies within that definite period?—No; I consider it would be most undesirable to prejudge, at this early stage, the whole question, by making it compulsory that the companies should be purchased within a limited time.

4515. I want you just to amplify that answer a little; of course the question you have to deal with with the companies is their sources of supply and their machinery of distribution?—It is.

4516. I believe, as the responsible engineer of the county council, you fully recognise that the companies would have to be taken over in some way at some time?—Undoubtedly.

4517. But do you consider with the information, which as responsible adviser of the county council, for instance, is at your disposal at present, it is insufficient for properly dealing with the whole question of sources of supply?—It is very insufficient in itself. As I explained to the Committee on the last occasion it is a very large subject. I think the Committee themselves must see how large a subject it is, and that it is only reasonable under those circumstances that a newly constituted body (for I presume it will be more or less a newly constituted body) which will have to manage this affair, should have, as was recommended by Sir William Harcourt's Committee, the freest possible scope in dealing with this very large and very difficult question, and that they should not, as an initial step, be placed under the disadvantage of being bound to come to a certain definite conclusion within a limited period.

4518. On the other hand, do you consider it of the greatest importance that, if possible, during this Session, an authority should be constituted with powers to deal with the question?—I do.

Mr. *Freeman*—continued.

4519. For instance, do you consider that the authority should be in such a position as to authoritatively inquire into the facts of the water companies?—Certainly.

4520. Both in fairness to the purchasing authority and in fairness to the companies themselves?—Yes.

4521. And, therefore, if the Committee should see right to constitute the committee if the county council and the corporation to be the authority, do you very earnestly desire that powers should be given to them to deal with the subject?—Certainly; it is most important, I think, in this stage of the case, that the time that has been spent by this Committee should not be entirely wasted, and considering that the representative bodies that you have alluded to (the county council on the one hand and the corporation on the other), which undoubtedly do represent a very vast amount of opinion in London, considering that those two bodies object to be placed under terms of compulsory purchase, I think that the Committee might reasonably accede to that request, while at the same time granting to the county council those powers which it does not at present possess.

4522. And of course until some such powers are conferred, further delay must take place in beginning proceedings?—Undoubtedly. The question, in my mind, will remain in this very unsatisfactory and indeterminate condition as long as no body is in a position to deal with the case; and as I said on the last occasion; I have the greatest hopes that were an authoritative body, such as the proposed committee of the council and the corporation, placed in a position to do so, they might be able to deal with these companies, and come before Parliament at no distant date with a definite scheme to settle the whole question.

4523. And in the meantime the authority would be in a position to negotiate with the several companies, and very possibly to arrive at terms of purchase?—Yes.

Mr. *Freeman*—continued.

4524. On a previous occasion you gave it as your opinion, not of course binding the council, that if that authority was given to the body there is no reason why within two Sessions a definite scheme should not be laid before Parliament?—As far as I can see there is no reason against that.

4525. And a scheme which would enable the facts to be fairly brought before a Committee of the House to enable them to deal with the whole question?—Yes; and I might say in furtherance of that, brought before the whole House in the way in which all these questions have hitherto been dealt with; that is to say, that the body that asks to be responsible for a certain great work considers that work and produces a definite scheme before Parliament, neither placing upon Parliament upon the one hand nor the Government of the day upon the other, the responsibility of initiating a project to deal with this large question.

4526. Unless you have anything further to add upon that point I will proceed to another matter upon which I want to ask you a few questions?—It does not strike me that I want to add much to the weight of what I have said.

4527. A question has been raised whether in addition to the committee formed of the county council and the corporation of the City of London, representation should be given to any of the outside authorities; I want you to answer these questions in the light of your experience as the responsible manager for many years of the Bradford waterworks; I think there you told us you had to deal with 28 outside authorities?—Twenty-eight. There are 31 within the district of supply, and we deal with 28 of them as consumers of water.

4528. And, not to rspeat your evidence, under circumstances of very considerable difficulty in many instances, owing to situation and heights?—Yes; the physical difficulties of the case are considerable.

4629. Difficulties which I might ask you compare favourably or unfavourably with the circumstances round London?—London is a much easier place to supply on that principle than Bradford, very much indeed.

4530. Speaking from an engineering point of view, do you think there would be any difficulty in supplying those outside authorities, when the central authority was constituted?—None whatever.

4531. And in your opinion would that be of far more advantageous way of giving effect to the outside districts than to bring them in by representation upon the central authority?—Undoubtedly. The principle I may say on which the Corporation of Bradford have always acted is to preserve to each of the outside districts, as much as possible, their individual and independent powers, in no way to allow the central body to invade those districts for any purpose (excepting, of course, at their own request) excepting what was absolutely necessary for the object in hand. I have explained to the Committee that in the Bradford case the corporation possessed no powers of rating in the outside districts, although the borough itself was subject, if necessary, to an unlimited rate; that the out-districts contributed none of the capital towards the construction of the works, excepting those several portions which they paid out of their own pockets for their own distribution pipes; and that they were not charged in any way with any of the risks consequent on conducting a large undertaking such as this,

Mr. *Freeman*—continued.

4532. First of all, as regards the interests of the outside bodies themselves, do you think their interests would be far better looked after if they were themselves the authority for their own district than if they had a small representation upon this large committee?—Undoubtedly; that is the very object; the great advantage that I see in dealing with it in this way, that the outside districts having the supply and distribution of water within their own hands, as far as it is possible to give them that supply, they are undoubtedly the best body to manage their own concerns; they would be far better managed than by the county council sitting in London.

4533. Then as regards the working, the convenience, of such a body, do you think that a committee such as is proposed, of 48 members of the county council and the corporation combined, would be sufficiently large for all practical purposes?—I think it would.

4534. And if increased by representation of numerous outside bodies would become unwieldy?—I think it would; and besides the representatives from outside districts would have undoubtedly in their minds the representation of the water supply and distribution in that outside district continually before them, as a primary object of their being, they would not feel themselves so responsibly answerable for the whole undertaking as the central body, large as it is proposed to be, would feel themselves.

4535. Then again as regards questions of rating, do you think it would be much simpler for them to raise the necessary money for their own waterworks in their own districts?—Certainly.

4536. Rather than to have it in the central body to rate over the whole area?—Yes; it is quite clear that the systems of valuation in different districts round the metropolis are not all the same, as regards each other, nor are they the same as they are within the county of London.

4537. Then, to put it shortly, you desire to see applied to London the same principles as have worked so satisfactorily in the case of Bradford?—Yes; I may recapitulate some of them. We wish that they should have the supply in their hands (where it is possible to do so) directly distributing their own water. If they wished us to supply in detail I presume the county council would undertake that duty, not that they want to do it; and as Sir Thomas Farrer explained in districts outside where it is possible to do so and we are at the present time not able from our want of knowledge to say how far it is possible to do so, where it is possible to do so, to cut off as it were portions of the existing supply, and hand them over bodily to the local authorities.

4538. And just to refer to a matter which has been cross-examined to by several of my learned friends who represent outside bodies, in settling what supply should be left to them, and how the supply

Mr. *Freeman*—continued.

supply should be given to them, you would desire to consult them in every way during the negociations?—Certainly.

4539. I think that sufficiently deals with the question of the outside authorities. Now in view of the question of the possible purchase at an intermediate period of the water companies, you have considered, as far as you have had the means, the question both of the quantity of their present supply and of the quality?—I have.

4540. As regards the quantity you had to investigate the various powers which they have of drawing water from the Thames and the Lee?—I had.

4541. And without at the present moment going at all into detail, have you satisfied yourself that the question of the legal rights as regards Thames water is a matter that requires considerable investigation?—Very grave investigation I think.

4542. You have also very carefully considered the question of increasing that supply by storage in the Thames Valley and similar questions?—I have.

4543. Are you at present in a position to say that that is a question of very grave difficulty, owing to the nature of the soil of the Thames Valley?—I have formed a very decided opinion on that question of supply from the Thames; and without going into or trenching upon matters which the Committee do not wish to be troubled with, I may say that I cannot conceive it possible much longer for the largest city in the Empire to be supplied from an area which receives the drainage of a million of human beings, of 1,600,000 cattle, sheep, pigs, *et cetera*, and in which, taking the death-rate at its lowest, there must be interred from 15,000 to 17,000 persons per annum. I cannot imagine that that state of affairs can go on much longer; and it is one of the important questions which must be left, I think, to the central authority to decide for themselves whether they will or will not continue that supply from that source; and when I make that remark, it applies equally to the storage of water in the Thames Valley, for the same remarks apply to the flood water to a greater extent than what I have said to the ordinary river. The companies cannot now take the ordinary flow in flood time, it comes down so impure; and the very source that would have to be stored to equalise the flow of the Thames would be that very flood water coming from this highly populated and manured district, so that it is certainly a difficulty.

Mr. *Bidder.*] I thought it was understood the other day that upon this occasion the Committee were not going into the question of quality of supply. I intervene now because if Mr. Binnie is going to enlarge upon that question of supply it will be very difficult for the water companies to abstain from cross-examining him.

Chairman.] It will be very difficult.

Mr. *Bidder.*] I think it will be more convenient to follow the decision of the Committee, and not to hold out the red rag by making statements which we certainly do not accept.

Witness.] I did not wish for a moment to say anything offensive to the companies.

Mr. *Bidder.*] But it is.

Mr. *Freeman.*] May I explain what the position is? I am most anxious to avoid going into the question of the quality of the water supply of London at the present time, but we are in this difficulty: In the Bill which is before the Committee, of course there is a certain provision as to purchasing these water companies within a short period; that is a provision which, on behalf of the county council, we consider open to grave objection, and unless I can point out to the Committee the reason of the objection, which we have to that, namely, the question that both quantity and quality requires considerable investigation. I feel I should hardly be treating the Committee respectfully in asking them upon our mere *ipse dixit* (as we do not like that clause), to say that it should be omitted. Of course, I am entirely in the hands of the Committee on the whole question.

The Committee conferred.

Chairman.] I do not understand Mr. Binnie to have done more than give general reasons why he considers that there should be an exhaustive inquiry into the various points he has indicated according to his view, before compulsory purchase should be imposed upon any authority to be constituted. Therefore, if you will keep Mr. Binnie, as far as possible to general questions, I do not see that that need cause any difficulty with Mr. Bidder for the water companies.

Mr. *Freeman.*

4544. (To the *Witness.*) I will endeavour to follow the directions of the Chairman in this matter; you have very carefully considered the questions both of quantity and quality?—I have.

4545. You have, so far as the means are available, consulted experts upon the subject?—I have, or rather the county council have.

4546. I am speaking of you as representing the council, and you have arrived at a definite conclusion in your own mind that, both of quantity and quality, serious investigation is required?—Very serious investigation.

4547. Before these companies are purchased as they stand?—Yes, and I may say more. I think the purchasing body, the ratepayers of London at large, and the county of London, should be the persons to decide on those questions; that they should be in the position of an ordinary municipal borough, prepared to undertake very grave responsibilities; and when the responsibility is fixed upon them, I do not see how Parliament can very well force upon the county of London a foregone conclusion without inquiry at all.

4548. Just to keep it quite generally, you have considered, first of all the question of the volume of the Thames itself?—I have.

4549. And the effect of the abstraction of large quantities of water, as regards the metropolis as a whole?—I have.

Mr. *Bidder.*] Now this again——

Chairman.] You are getting rather into detail.

Mr. *Bidder.*] It is impossible for us to sit still, if my friend is to keep indicating heads on which he thinks thequality and quantity insufficient.

Mr. *Freeman.*] I am sure it is impossible for you to sit still when examination-in-chief is going on.

Mr. *Bidder.*] It must be either one thing or the other; either do not touch it in examination-in-chief, or we have to deal with it in cross-examination; then the whole question is opened up.

Mr. *Freeman.*] I am perfectly prepared to go into the question in detail.

Chairman.] The Committee are not.

Mr. *Murdoch.*] That is what we do not want.

Chairman.] The Committee are not prepared to go into the question of detail at all. It is admitted that it may be very desireable to inquire into the quality and the quantity of the water; but for the question of the immediate purchase of the companies, the question is whether that class of inquiry should necessarily precede the Committee imposing any time of purchase.

Mr. *Freeman.*] Suppose the Committee were to deside that the water companies should be purchased at once, it would be practically useless for me to go into the question of quality and quantity. I feel myself in a great difficulty in the matter. My desire is to show the Committee why we object to immediate purchase being put on us by the water companies.

Chairman.] If you ask general questions, as you have done, it must be surely sufficient to influence the minds of the Committee upon the subject, without asking us to do what we are not prepared to do, namely, to test the opinion of Mr. Binnie as regards reservoirs, or the taking of too much water from the Thames, as against the evidence which may be given by the water companies; but we do not wish to pre-judge the case in any way.

Mr. *Freeman.*] Quite so, Sir.

Mr. *Bidder.*] May I suggest to my learned friend, if he will allow me, that all he wants for his purpose, so far as it is relevant (if relevant at all), to the question before the Committee, is that which he and Mr. Binnie have already stated, namely, that the London county council at the present time are not satisfied as to the quantity or quality. I do not say, from my point of view, that it is a relevant question, but, if it is relevant, that is sufficient for the purpose of the argument.

Chairman.] I think it is sufficient.

Mr. *Bidder.*] They say they are not satisfied.

Mr. *Freeman.*] Not only the county council, but the two partners in the arrangement, the corporation and the county council.

Mr. *Bidder.* If you please; be it so.

Mr. *Freeman.*] Then, after that information, we will not pursue the subject further.

The Committee further conferred.

Chairman.] I think it is quite sufficient that you should have given the Committee an authoritative expression of opinion on behalf of the City and the county council as to what their position is; you need not go into details as to the points on which the inquiry is considered necessary.

Mr. *Freeman.*] Of course, Sir, I have not the slightest desire, and it would be very wrong to endeavour to prejudge the question on this point. We do not desire to do so. I hope I am not laying too much stress upon the point, but I am instructed to lay before the Committee that very serious view of the council, that before any compulsion is put upon them to purchase the companies, full opportunity should be given to inquire into these two questions, quality and quantity.

Chairman.] I think you have really said quite sufficient to put your case before the Committee, Mr. Freeman.

Mr. *Russell Griffiths.*] On behalf of the City we also want to impress upon the Committee the importance of the view that there must be an inquiry by *some* body.

Cross-examined by Mr. *Bidder.*

4550. I assume in the questions that I am going to put to you, that the county council and the City of London are in that state of mind at the present time that they do not feel satisfied as to the sufficiency of the quantity and as to the quality of the supply of the water companies for the future; and I want to ascertain and to test the question that even if that is so how far that is revelent to the question that is before the Committee. You have referred to a good many precedents, and you have told the Committee that there is no case in which a corporation has been compelled to purchase a water company?—Not within my knowledge.

4551. I should think, probably, you are quite right in that. I am not aware that there is any proposal before Parliament to compel the county council to purchase the water companies?—I so read the Bill. I may be wrong. I am not a lawyer.

4552. You know that so far as the water companies are concerned they are perfectly content to go on supplying the metropolis?—I did not know it.

4553. At any rate now for the first time you do know it. They are not seeking to put any compulsion upon the authority to purchase?—Oh, no; the compulsion is in the Bill; not on the part of the companies.

Chairman.] The proposals of the Bill before the Committee are distinctly compulsory purchase within a limited period by the authority to be constituted, supposing that authority to be inserted in the Bill.

Mr. *Bidder.*] Yes; and that is compulsory purchase which those who framed that Bill are themselves asking for.

Chairman.] Certainly.

Mr. *Bidder.*] It is nobody putting a compulsion upon them; the proposal in the vestry Bill is compulsory purchase, but it is the promoters of the Bill who are asking to be armed with that authority, which is a very different thing.

Chairman.] Just so.

4554. Mr. *Bidder* (to the *Witness.*)] You have referred to Glasgow, you have referred to Bradford, to Birmingham, and to many other places: Is there any case within your knowledge where the public authority has been authorised by Parliament

Mr. *Bidder*—continued.

liament to establish competing works with an existing statutory company without first acquiring the undertaking of that company?—I do not know any case of that kind.

4555. May I put it that, so far as your experience of water legislation goes, it is absolutely without precedent?—It is not only without precedent, but it would be a suicidal kind of thing to do.

4556. Then, so far we are agreed, for a public authority to establish, or to seek powers to establish, competing works with the water companies, not having acquired their undertakings previously would, in your own language, be a suicidal sort of thing to do?—It would. May I guard myself in that reply?

4557. If you wish to?—In saying that, I do not go so far as to say that it might not be perfectly wise that the public authority should lay before Parliament a scheme which might not be acquiesced in by the companies.

4558. A sort of *brutum fulmen*?—Not at all, but as a mode of settling a large question, such as this.

4559. It being granted that to carry out such a scheme would be suicidal, it can be nothing but *brutum fulmen*?—Oh, no; I do not agree to that.

4560. Oh yes, you and I are agreed that to ask Parliament for powers to establish a competing scheme with the water companies would be suicidal?—Yes.

4561. Then, to submit such a scheme to Parliament, knowing that it would be suicidal to put it into execution, is what I venture to call *brutum fulmen*, an empty threat?—Hardly so.

4562. What would be the object, if as you say it would be suicidal to put such a scheme into execution, of its being submitted to Parliament?—That Parliament might decide which was the best mode of dealing with the question, that proposed by the companies on the one hand, or that proposed by the corporation or local authority on the other. I explained to the Committee the other day that this arose in the case of Gasgow, where the company proposed a scheme and the corporation proposed a scheme; in the case of Bradford there also the company proposed a scheme and the corporation proposed a scheme. There is nothing in the sense of competing in the sense that it would be a money competition. Two alternatives are proposed before Parliament to deal with a great question, and Parliament is asked for its decision.

4563. Well, you forgive me now that you are confusing now two entirely distinct questions. I am not alluding to the question of alternative schemes; that is to say, granted that a new source of supply is wanted, you may have two or more alternative schemes for accomplishing the object in view. I am not touching that question at all. I am upon the question of what you yourself admit would be a suicidal thing to attempt; for the public authority the county council and the corporation of the City of London or any other public authority, to seek for powers to compete with the water companies, not having purchased their undertakings?—Yes, I agree to that.

4564. Having said that it would be absurd, would it not, obviously, for the public authority to submit a Bill to Parliament for doing that which you say yourself would be suicidal, and which Parliament would not therefore sanction?—I do not know whether Parliament might not sanction a scheme for carrying out the supply of London; and as I said in my examination-in-chief, I cannot conceive it possible that Parliament would sanction any scheme in which the purchase of the companies was not an important fact.

4565. I want to keep you distinctly to the one point. Have you it in your mind then, that although it would be suicidal to compete with the water companies, yet you might in some contingencies come to Parliament and ask Parliament to sanction a scheme in the hands of the public authority for a new source of supply, with powers to compete with the water companies?—No, I have never said so.

4566. Then you are in agreement with me up to a certain point. Assuming, taking it for granted, that it is considered that the time has come when the water supply should be in the hands of the public authority, is it not necessarily the first step to accomplish that purpose to acquire the undertakings of the companies?—Not previously to the public authority having inquired into what is the value of the things to be purchased.

4567. I want to come now at once to close quarters with you about that. Agreed, we will say; assuming that the public authority must have the water supply in its own hands, between you and me that it is out of the question that the public authority should go for a competing supply as long as the companies are not bought, if follows that before the public authority can get the water supply into its own hands it must acquire the undertakings of the water companies?—Before it can deliver water?

4568. Before it can have the water supply in its own hands and deliver water; before it can in be in any practical sense a water authority?—I think I said in my examination-in-chief that the companies will have to be purchased.

4569. That is the first overt step in the accomplishment of the purpose in view?—Except the one I stated just now, that I think it is only fair that the public body who are to purchase should have a full and free hand to inquire into the value of the things to be purchased.

4570. Now let us come to that. That is the pretext or ground upon which you now ask for the Bill now before the Committee?—I beg your pardon; we are opposing the Bill before the Committee.

4571. I beg your pardon; I am confusing you with the promoters; I ought rather to have said the ground on which you put forward that proposal that the county council and the corporation should be armed with authority?—To deal with the companies, yes.

4572. I want to follow that a little further. For what purpose do you ask that such powers should be conferred upon you in the meantime, previous to purchase?—We ask that we shall, like any other purchaser, be at liberty to treat with you upon equal terms, making inquiries as to the value of the thing to be purchased before we pay for it.

Mr. *Bidder*—continued.

4573. Let us see; let us go by steps. Is there anything to prevent the county council and the City reating with every one of the water companies to-morrow by way of negociation?—I am not aware. I do not know the legal position. They cannot come to any conclusive result I believe.

4574. Is there anything to prevent the county council and any one of the water companies entering into a provisional agreement to-morrow which they may submit to Parliament in the next Session?—Nothing, except that they are not in a position to submit anything to Parliament at the present time. They are legally incapacitated from doing so.

4575. You are at liberty to negociate as much as you please?—I believe we are. I think any two persons can do that without Act of Parliament.

4576. You can reduce the terms of agreement, if you come to agreement, to paper?—I presume you can.

4577. If that were done the machinery for giving effect to the agreement would probably not be difficult to furnish?—Excepting that it appears that there is a legal disability on the part of the county council to proceed in the matter at all.

4578. Assuming that there is no agreement with the companies then it obviously becomes necessary to purchase compulsorily?—If they do not come to agreement, oh, yes.

4579. That is quite clear?—Oh, yes.

4580. We are agreed that you must acquire all the companies?—Or part; I do not say all at once.

4581. What?—We may acquire one at a time. We do not want to be put under compulsion and have to purchase the whole eight companies within two years, or within any other limited time: we quite agree that all the eight companies will have to be purchased, but not all at once, please.

2582. With reference to that question, I will ask you a question in a moment; I will make a note of that. But I would rather not turn aside from what I was on for the moment; "not all at once"; if not done by agreement you must purchase compulsorily?—Yes, I presume so.

4583. And as an incident of compulsory purchase not being agreed as to towns there must be an arbitrator or arbitrators, and an inquiry in the usual way?—I presume so, or in some way provided by Parliament.

4584. And upon that inquiry the whole question of quantity of supply, quality of supply, revenue, nett revenue, and every question affecting the value of the undertakings will have to be threshed out?—Possibly so.

4585. What more do you want? What more do you want than the thorough inquiry by the impartial tribunal, when you are going to buy, into what the value is of that which you are to acquire by purchase?—I do not want to reiterate what I have said before. We are not quarrelling with you; we merely say what powers we want in order to be placed in a position to inquire into the value of the article to be purchased.

Mr. *Bidder*—continued.

4586. At present, of course, you have all the information. You have the information of the monthly examinations as to quality; the reports of the Local Government Board as to quantity; the accounts of the companies as to revenue, publicly audited. What more do you want before you embark upon the purchase?—I should like to know something about the works of the companies myself.

4587. As soon as you determine to purchase you will have the right to know everything and inspect and investigate in every possible way?—If Parliament gives us the power to do so.

4588. Forgive me. Necessarily, as soon as you have given your notice to purchase a company compulsorily, you and the tribunal will have the right to investigate to the very utmost everything in connection with its affairs?—Undoubtedly, but that is what we are asking for; that we should be placed in a position to come to Parliament asking for powers.

4589. Pardon me, that is not what you are asking for; you are asking for a right of investigation, although you have not determined to be a purchaser at all?—But in this instance the Committee before whom we are have decided that question for us, that they consider the time has come when the water supply should be in the hands of a public authority.

4590. Assume that; I will not follow it; assume that the time has come when the water supply is to be in the hands of a public authority that involves necessarily, as you agree with me, purchase either by agreement or compulsorily?—Yes.

4591. And that compulsory purchase necessarily follows the inquiry and thorough investigation into the affairs of the company?—That is so; we are quite agreed on that.

4592. Then all you want is not powers for a preliminary roving inquiry, but powers to purchase, and the rest all follows?—That will come in due course.

4593. But I am putting to you this: assuming all you say about your not being satisfied as to the quantity and quality, you want no further powers excepting the power to acquire by compulsion or agreement?—I cannot put it better than I put it the other day, that we ask, on behalf of the county council and the City of London, that they should be placed with regard to this water question in exactly the same position as Manchester or Liverpool is or was, neither more nor less; but that it is unfair and unjust before that body is incorporated to place upon them the obligation of purchasing the companies within a limited time without giving them an opportunity of dealing with the companies by negotiation first.

4594. That leads me to another question: you start at the idea of being under compulsion to buy all the companies within a limited time?—Yes.

4595. But you must acquire all the companies before you get the entire supply of London in your hands?—Undoubtedly.

4596. And does not that very principle of justice which you have already recognised require that you should acquire them all simultaneously?—I hardly think it does.

4597. As

Mr. *Bidder*—continued.

4597. As a matter of fact it is the case, is it not, that the districts of the companies considerably overlap each other?—Two of them upon the map do undoubtedly.

4598. If you were not under compulsion to acquire simultaneously, you might acquire one or two, or more, and use the rights which you had acquired of buying them for the purpose of competing and beating down the prices of the others?—I do not think so.

4599. What is to prevent you?—For this reason——

4600. I think the blue is Southwark and Vauxhall?—Yes.

4601. And the red is Lambeth?—Yes.

4602. One illustration will do as well as another. We see they overlap to a considerable extent. Unless you were bound to purchase simultaneously, you might acquire, say Southwark and Vauxhall, and having acquired their undertaking, and put yourselves in their shoes, you might say to the Lambeth Company, now then, we are going to supply that part of your district which is concurrent, and compete with you?—Hardly so.

4603. What is to prevent you?—We could buy from the Southwark and Vauxhall Company no further powers than the Southwark and Vauxhall Company possesses over its own district.

4604. Which is a power of competing with the Lambeth Company; which power they do not exercise by mutual arrangement?—That is only the little piece that is striped.

4605. It is a good big piece?—However, there is no desire to deal unfairly in this matter.

4606. If there is no idea of that kind, you would be quite prepared to have provisions inserted which would prevent your doing anything of that kind?—I cannot answer for Parliament or for the county council.

4607. You repudiate the idea?—Yes.

4608. And you would be willing to see that repudiation carried into effect?—Yes.

4609. You are bound to buy them all, that is obvious, and your scheme is not perfect until you have got them all; how are you hurt by being compelled to take them all simultaneously?—I think it might be exceedingly inconvenient.

4610. In what way; point out in what way it would be inconvenient?—In many ways. The circumstances, as far as I have been able to go, and it is not very far, I must say, into the affairs of the companies, are to me a matter that is in the dark to a great extent; but I have seen sufficient to see this, that there are no two circumstances exactly the same. For instance——

4611. That I think we may take as conceded; there can be no question of that?—It is hardly expedient that you should be put under compulsion to purchase all those at one time; you must have time allowed you to take one by one, and inquire into its pecularities, and treat each on its own merits.

4612. "One by one." We do not mean all in the same day. Let us say within twelve months, or two years, or whatever time you like, so long as you give notice to purchase all at the same time. But you have got to purchase all before your undertaking is complete?—Yes, that is quite clear.

Mr. *Bidder*—continued.

4613. Therefore, the sooner you purchase all the sooner you will be the water authority of London?—I can hardly assent to that in that way, because I tell you the whole question requires very careful consideration; but with that reservation, yes.

4614. I assume that you have arrived at that point at which it is determined that you should become the water authority of London?—Yes.

4615. We are agreed that you must acquire all the existing undertakings. Then it requires no consideration to tell us that the sooner you acquire those undertakings the sooner you will be the water authority?—No doubt.

4616. Now I ask you to point to any definite reason why you should not be bound at least to give notice to purchase them all simultaneously?—Excepting that I do not think it would be convenient to do so, I cannot go further than that. Taking into account the diverse circumstances that surround the different companies, I do not think it would be convenient that you should have the inquiry before the arbitrator into all of them mixed up at the same moment.

4617. Agreed as to that thoroughly; you will have to have before the arbitrator separately each company and treat it at a separate time; you have not answered my question; can you give me any reason why you should not be bound to give your notice to purchase, to commence the purchase by notice, to every company at the same time?—I think it would be an inconvenient mode of doing it.

4618. Why inconvenient?—For the reason which I have stated, to precipitate a great inquiry into eight large commercial undertakings all simultaneously I think would be an inconvenient mode of doing it.

4619. I do not suggest that you should have the inquiry simultaneously, but that you should commit yourselves to purchase simultaneously; that is all?—I presume were the county council to bring in a Bill, one of the provisions of the Bill would be to obtain the purchase of the companies, either by agreement or in some way or other, and I imagine that it would apply to all the eight companies.

4620. You can suggest no other reason except what you state, the inconvenience of simultaneous inquiries, why the purchase should not be simultaneously binding upon the county council to take all where they take any?—Within a reasonable limit of time, certainly.

Cross-examined by Mr. *Lewis Coward.*

4621. You made a few observations in reference to the Kent Water Company impugning to some extent, our quality and our quantity?—I stated that it was the best quality of water delivered in London.

4622. I think you went a little further, did not you?—I guarded myself in this respect, that I do not consider of necessity that a hard water is a good water supply, but that in the future, as the districts from which the water is drawn, the drainage areas, if I may so speak of them, of your wells became more inhabited, the wells might be liable to contamination.

4623. Yes, I follow that, and it is in that direction I wish to ask you a question or two;

Mr. *Lewis Coward*—continued.

are you aware that the Kent Company have been carrying on its supply from wells in the chalk for the last 30 years?—I am aware of that.

4624. Are you aware that during that time the increase of dwellings which you have been apprehending has largely taken place?—Possibly so; it must have been so in many parts of your district.

4625. I wish to emphasise that by reference to the fact appearing upon the recent census, that a very large increase in the population of London, arose in the outer ring; that is so, is it not?—Undoubtedly; in that district perhaps, more than anywhere else.

4626. If you agree in that with me, I need not go further into that. Are you acquainted with Professor Frankland's report to the Registrar-General, dated 27th January 1890?—I have read it, and if you will direct my attention to anything I shall be happy to answer.

Mr. *Freeman.*] I do not for a moment wish to interrupt my friend, but as I have been stopped from going into any question of quality, I do not know how far the Committee propose that other parties should go into it.

Chairman.] I am just looking to see; but if the witness gave evidence in chief which reflects upon any particular company before the Committee expressed their opinion, it is only fair to the companies, I think, that they should, as shortly as possible, have an opportunity of asking questions upon it.

Mr. *Freeman.*] I only desire to remind the Committee that I had a great deal of evidence which I was desirous of going into.

Mr. *Lewis Coward.*] Of course, if I understand that my learned friend withdraws the evidence given in reference to the quality of the Kent Company's water, I will sit down at once; but I submit it would not be fair to allow the evidence to pass, and to be some day or other used against us, impugning the quality of the water of the Kent Company, Mr. Binnie being the only engineer or any other person called who has attempted to impugn it, as this witness has done.

Chairman.] I did not understand that he did impugn it. I am bound to say the impression on the minds of the Committee was not that the quality of the Kent water had been impugned in any way at all. There was something about contamination of the wells.

Mr. *Lewis Coward.*

4627. He said it would not remain pure, and it elicited a question as to whether sewage was capable of percolating to the enormous depth that Mr. Binnie has suggested; and it does seem to the advisers of the Kent Company, whom I represent, that this matter should be gone into a little. I will take it very shortly, Sir. (To the *Witness.*) I will ask you a question, Mr. Binnie, in reference to Professor Frankland's report. Are you aware that he gives at page 51 a table which shows that whereas the average amount of organic carbon and organic nitrogen in the Kent Company's water during the nine years ending December 1876 may be taken at the figure 1; that the average quantity of those elements in the samples analysed for the year

Mr. *Lewis Coward*—continued.

1890 was represented by 0·5, or, in other words, ——?—I know that the water examiner considers, and I agree with him in considering, that the Kent water, as I stated in my edidence-in-chief, is the best water supplied in the metropolis.

4628. In other words, that the quantity in 1890 was only half the quantity in the nine years ending 1876?—Possibly so; I do not dispute it.

4629. But you see that it is not an isolated case. I can refer you to the years 1889 and 1888, when the quantities were 0·7 and 0·6. Does not that table show now that this anticipated deterioration which you suggested would come from an increase in the number of dwellings has not taken place in the Kent district?—No, it does not.

4630. Why not?—Because I know that on the face of the public report, which I have before me and which I will hand in, the Charlton Well of the Kent Company was stated to be impure, and the company very wisely and in a most commendable manner have ceased supplying water from that source.

4631. Are you aware that that is the spot where the Metropolitan Board of Works laid a sewer alongside the well?—I did not go into that.

4632. Is that so?—The metropolitan sewer is not very far from the well.

4633. Do not you think it would have been fairer to add that?—No; that exactly proves the case that I wish to lay before the Committee.

4634. Is it not within a few yards?—It is some distance from it; but whatever it is I give the company full credit for abandoning that well; and the abandonment of that well is a proof of the reservation I wished to make the other day, that wells in populous districts are possible sources of contamination.

4635. Are you aware that within the last ten years the districts of the Cray Valley and the Darenth Valley have been provided with a most efficient system of drainage; and that the system of cesspools, which you feared, has been done away with?—Possibly so; but the sewers, as you have just stated, are in themselves possible sources of contamination; you stated it, and I agree with you.

4636. Do you agree with what Professor Frankland says, and the opinion he expresses in his annual report at page 55, that "none of the waters supplied to the metropolis are of such excessive hardness as to influence their fitness for drinking"?—I quite agree with that.

4637. You qualified to some extent the question of hardness?—Yes; I may explain what I mean. I consider that a large town such as London where we have a population of 1¾ million of persons who live by daily labour should not be shut out from the advantages, if it is possible, of a soft water supply; hard water supply such as we get in London shuts out many trades and businesses which affords employment to a large number of persons.

4638. Do you agree with the statement in the Rivers Pollution Commissioners' Report in reference to the Kent Company, that "The supply of such water, either softened or unsoftened, to the

Mr. *Lewis Coward*—continued.

the metropolis generally would be a priceless boon, and would at once confer upon it absolute immunity from epidemics of cholera." Do you agree with that?—That is a medical question; I would not go into it. I think I have said before that I consider the well water of the Kent Company the best supply in London.

4639. And do you agree with this in a report of Sir Frederick Bramwell and Mr. Edward Easton to your predecessors, the Metropolitan Board of Works, in 1877, that the Kent water is the purest, brightest, most palatable, and most wholesome water that could possibly be desired?—On the latter points I cannot give an opinion, but otherwise I will say "yes"; I have already stated it.

4640. You referred to a certain Report; is that the Report you have put before the Chairman?—The Sixth Report of the River Pollution Commission, the Domestic Water Supply Report.

4641. That is the one which shows the same contamination as the waters in the river Ɛit not?—No.

4642. What Report is that?—The Report I have just placed before the Chairman is the Sixth Report of the River Pollution Commission; it is called the "Domestic Water Supply Report." You will see at pages 105 and 106, a table called "Polluted Deep Well Waters."

4643. Was it the report which showed that water drawn from chalk wells did undoubtedly become subject to the same contamination as the water in the river?—It is the 12th Report of the Local Government Board, Appendix B., 1882–1883.

4644. Do you really, as an engineer, concur in that opinion?—I concur in the opinion that wells in populous districts are liable to contamination; that is all.

4645. With cesspools?—With cesspools, or drainage in connection with drainage, or manuring; they may in some cases even cause it.

4646. You would agree, I suppose, with Professor Frankland's report, in which he says that the exhaustive process of natural filtration which the deep well water undergoes in passing through a great depth of porous strata would be far in excess of what could be effected by artificial filtration?—I would not entirely agree with him on that point.

4647. On what points would you disagree with that?—Constant filtration that is carried on, artificial filtration, is through unimpeachable material, through clean silex; but in the case of a well you never know exactly what it is going through beside the chalk strata.

4648. I want a word with you as to the quantity: do you agree with Mr. Grover's admissions to me that there are millions and millions of gallons of water capable of being obtained from these wells?—From the Kent Company?

4649. Yes?—There is a large quantity. I am not inclined to say that it is unlimited.

4650. No, I do not put such a measureless quantity as that. Mr. Grover admitted to me that he had very much miscalculated the amount; he told us in chief there was not much more apible of coming from the Kent Company.

Chairman.] I do not think you need go into that.

Mr. *Lewis Coward.*

4651. Very well, Sir. (To the *Witness.*) Sir Thomas Farrer has admitted, and several other witnesses have admitted, that the Kent Company is one that stands on a very different footing to the others; do you agree with that?—It stands on a different footing. I would not say "very;" I want to accentuate it.

4652 Why would you disturb the Kent Company; they are giving a pure supply, plenty in quantity; there has been no complaint raised in that chair where you sit against their price; why should you disturb them?—They are one of the companies supplying within the county of London, and, as I have said before——

4653. Is that really the reason that you give, and the only reason, that but for that little strip in the county of London that would make them metropolitan?—If the authority of the county of London are to be entrusted with the water supply at all I apprehend that Parliament would not ask them to supply a part and not the whole; it would be very inconvenient.

4654. Why should not the Kent Company be left out altogether?—Really I think the time has come when Parliament has decided that you shall not supply.

4655. You have not been able to throw a stone at us, you know?—I have not; but I think general public opinion has come to the conclusion that water supply is not a matter that should be made the subject of speculation and profit.

4656. If you cannot give me anything more definite than "public opinion" I will sit down?—It is very consolidated public opinion. Parliament, and the country especially, has formed an idea upon the subject.

Mr. *Pember.*] I do not propose to take Mr. Binnie at all into the question of general policy such as we cross-examined Sir Thomas Farrer upon, or to repeat what Mr. Bidder asked this morning; but there are one or two matters of detail you would perhaps allow me to ask him with regard to his evidence of the other day.

Cross-examined by Mr. *Pember.*

4657. For instance, I understood you to give us instances of the advantage of handing over the water supply to corporations and local authorities, Bradford and Manchester and Burnley, did you not?—I do not know about Burnley.

4658. You did mention them all?—Yes; it is in that list.

4659. To begin with it is not a fact that the corporation of Bradford have had the water supply in their own hands since 1854?—That was my evidence. Yes.

4660. Is it not also a fact that even now the supply is very short and inadequate?—The supply has increased to about twenty times the volume it was when they took it over; it is a rapidly growing place, and as I told the Committee they were in Parliament last year to extend their water supply to the extent of 1,700,000 gallons a-day.

4661. I know; but last year was some 36 years after they had had the water supply in their own hands?—Yes, and they have had many immediate Acts for extension.

Mr. *Pember*—continued.

4662. Do not you know as a fact that up to the present time there is a constant stint of water at Bradford?—No, I should not call it a "stint of water"; the population and trade has increased more rapidly than the works can find them the water.

4663. Then in other words, so far as that municipal authority has gone it has not kept the water supply in advance of the demand?—To my knowledge they have had the water under constant pressure (as much as they can take) since the summer of 1878. London does not understand what a proper water supply is.

4664. I am not talking about London; I am endeavouring for the moment to keep myself to Bradford?—Yes, but you are drawing the comparison I think.

4665. That I may do subsequently; but as a matter of fact is it not true that there is a constant short supply of water from Bradford, and that notices and regulations have to be made in consequence every summer?—In the summer of 1884 and in the summer of 1887 the water was short, but since the summer of 1887 the water to my knowledge has been under constant pressure night and day, never turned off for any purpose whatever, in a way that the people of London do not undertand at all.

4666. Now that we have had that given with all the full force of declamation it comes to this; that in two wet years they have had a good supply, and in two dry seasons they fell short?—The fact that their works were getting exhausted is proved by their coming to Parliament last year to propose new works for 17,000,000 gallons a day.

4667. Now we shall give a little evidence upon that ourselves, and we will see how far that goes. In the case of Manchester, of course, we know what they have done: but now, do not you know that quite lately in Burnley (I forget whether it was last summer or the summer before) hand-bills were put about by the corporation begging people to use the water that they had used to wash, twice over, to allow it to settle, and then use it again, so short were they?—I do not know that fact.

4668. Which is a pleasant operation, no doubt, to go through. You said you knew of no case in which a corporation had been compelled to buy a waterworks?—I do not know of any such case.

4669. Let me see if I can either help you to remember one, or tell you of one you did not know before. Did you ever hear of the case of Stockton and Middlesborough?—Yes, I have heard of the case.

4670. Let me ask you whether you have heard enough to bear me out in these facts, that in 1876 the Stockton and Middlesborough Company came to get more water from the Tees?—They did.

4671. And that they were opposed in that by the coporations of Stockton and Middlesborough?—They were.

4672. Who came pleading that they were not to be allowed to take more water from the Tees because it was an improper supply; asking, on the contrary, to be allowed themselves to take the grand supply for Stockton and Middlesborough from the hills?—Yes, that was so.

Mr. *Pember*—continued.

4673. Quite so; and asking for compulsory powers of purchase over the company's works?—They did; I believe that was their original proposition.

4674. I will ask you whether you know enough of the Act to know that in the preamble there was this short recital: "Whereas the population of the towns of Stockton-on-Tees and Middlesborough, and the suburbs thereof, and of the adjoining districts, has so greatly increased and is increasing that the prospective commercial and sanitary requirements cannot be supplied by the present appliances of the company;" So it looked as if the company was supposed to be in default, did not it, to that extent?—It did.

4675. On the subject of compulsory purchase what do you think of Clause 15? First of all I ought to ask you whether you do not know that as a fact the company did not get their Bill to take a fresh supply from the Tees, that the corporation did get their Bill to take a new supply from the hills?—That was so, and I believe they agreed as to terms, but what the terms were I never heard.

4676. We will take it step by step; they got their power to take the new supply from the hills; is it within your further knowledge that they never have to this moment gone to that source at all, but that they take the water from the Tees?—I know they are constructing works.

4677. For compensation to millowners?—I do not know what the works are. I know some works are being constructed under that or some subsequent Act.

4678. Thas is the Act of 1876?—Yes.

4679. But you will not correct me in suggesting that there has not been a drop of water brought down to Stockton and Middlesborough from the hills yet?—That I cannot say.

4680. Does not this look like compulsory purchase, Clause 15, "The corporations shall, within six months after the passing of this Act, by writing under their common seals, addressed and sent to the secretary or delivered at the principal office of the company, require the company to sell, and the company shall thereupon sell to the corporations all their undertaking, property, rights, powers, and privileges"; we will come to the terms on which it was done presently, but in the meantime that is the form, at all events, you will admit, of a compulsory clause?—Yes; I believe, as far as my knowledge goes, the form following on an agreement between the corporations and the company.

4681. If it was an agreement, it was only an agreement made during the contest?—Yes, I say, resulting from the contest.

4682. Resulting from the contest. There was no agreement, we know that perfectly well. I only want to have your word to that effect?—I do not know it as a fact. You are leading me rather out of my depth. I am trying to go as far as I can.

4683. I will undertake to say you shall swim; however, does it really come to this, then: A company, apparently in default, the Stockton and Middlesborough, and a company on a very great scale, asking to take more water on the own account, opposed by the corporations, who say, the supply is bad, and asking for powers to take a fresh and better supply of their own; Parliament

Mr. *Pember*—continued.

Parliament acceding to their new supply, refusing the company its new supply, and at the same time putting in a clause, which you admit is compulsory in form, to the effect that although they do it the corporations shall buy the company's undertaking?—Undoubtedly; when it comes to that point I do not dispute it for a moment.

4684. Did you know of that case the other day?—Yes, but it was not a case to compel a corporation to purchase.

4685. That I am afraid we must argue, after what I have said. But now as to the terms upon which that purchase was to be made. The corportions were to give notice to buy the company which was to be sold. Now let us look at what the terms were. Remember that company was in default, and its supply was a bad one in quality as well as quantity. The corporations are to get "all their undertaking, property, rights, powers, and priviliges, as the same exist at the time of the delivery of such notice for such consideration, either in perpetual annuities amounting 18,647 *l.*, the present maximum statutory dividend of the company, or at the option of the company, for a sum in gross calculated a twenty-five years' purchase of such sum" (that is the maximum statutory dividend), "and in addition to the sum in gross or in perpetual annuities to be paid to the company, the corporations shall take over and pay the statutory debt of the company at the time of the transfer and vesting of the undertaking in the joint board and all other the debts and liabilities *bonâ fide* incurred by or on behalf of the company for the time being, and also shall pay to the company a sum for compulsory sale and for the prospective value of the company's undertaking; and if any difference shall arise in carrying into effect the provisions of this section the same shall be settled by arbitration in accordance with the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869"; those were the terms which Parliament put in for the typical precedent for compulsory purchase on either side, and that in favour of a company who were more or less in default; will you tell me, if you can, what the London companies have done, either in the direction of dereliction of duty or anything else, which in your judgment would warrant Parliament giving them less favourable terms than those?—I consider those terms are simply iniquitous.

4686. That is as good an answer as you could give me?—I know what the result of those terms has been. It has been to so far cripple the corporations of Stockton and Middlesborough that they have not been able to carry out efficiently the scheme sanctioned by Parliament.

4687. They have not thought it worth while to carry it out?—They have been, for instance, crippled by that very provision which you have read to the Committee.

4688. I daresay; it was found, according to you, that they had got too big a thing, and after all said and done, could do nothing with it?—Not "too big a thing;" too iniquitous a bargain.

4689. Since you call it so "iniquitous" now, I will take you step by step through it. Which is the iniquitous clause? I will not leave out one,

Mr. *Pember*—continued.

and you shall have a copy of the Act if it will help you?—Not at all.

4690. First of all, was it iniquitous to give them in perpetual annuities the amount of their present statutory dividends?—Will you excuse me. Allow me to say why I say it is iniquitous; the word seems somewhat strong.

4691. We are used to strong words?—I have seen the supply, I have seen the source from which the supply was derived: and I think to place a corporation under such powers to purchase such a supply as that company's supply was then, is "iniquitous;" to make, in fact, the people of Stockton and Middlesborough pay for drinking the sewage of Barnard Castle, I say is iniquitous.

4692. I must say if that were the fact, to pay a large sum of money for that beverage would be a little out of the way; I am quite ready to admit that; we all admit that; but I am not going to be put off; if you do not mind my saying so. What I want to see is not what the quality of the article they bought was, but on the supposition that the article was good, I want to see what is the iniquitous principle in the arbitration. Let us see what is the "iniquitous" principle of purchase. Was it iniquitous to give the company its statutory dividend?—I think it is.

4693. You think it is?—Yes.

4694. If Parliament has guaranteed it to them?—Certainly.

4695. You do. That is one. Now we shall know where we are at all events. It is "iniquitous" to give the company its statutory dividend; was it "iniquitous" to take over their debt?—No, I think that is fair.

4696. Was it "iniquitous" to pay something for compulsory sale?—No, I think that is reasonable.

4697. Was it "iniquitous" to give something for the prospective value?—Yes.

4698. Why?—Because I do not consider that water supply, involving, as it does, public health and public life, is a subject of speculation and money value.

4699. Then according to that you ought to take the undertakings for nothing at all?—Oh, no; there is reason in all things.

4700. No doubt. I have no doubt there is a good deal of reason in all things, and a good deal of unreason too. Now let us see who has got the reason. If I have got the power of earning a certain amount at present, a present power, on present value, I make that out of water, just as much as should prospective value when the time comes?—Possibly, but I am not in a position as an officer of the council to argue this question. I do not think the time has come. It is hardly fair on me to try to put this. Sir Thomas Farrer, who is an authority on this subject, was before you the other day, and I think you might have put the case to him. It falls more within his province, as representing the county council, than it does within mine as the engineer. You have asked me for my opinion, and as far as it is worth anything I have given it. Do not press me upon this.

4701. You think that a gentleman ought to be

Mr. *Pember*—continued.

"in a position" to lay down a thesis, and then not defend it?—I have done it as well as I can.

4702. You have not defended your thesis, which is that you ought not to pay for prospective value, because it represents——?—Something which you have not earned.

4705. But something which I have the power to earn as years go on?—Not to earn under the new circumstances.

4704. What are the new circumstances?—The new circumstances are that you are not to continue to supply people with water, and make out of that supply a profit.

4705. Why should not I make a profit in years to come out of my extended business, just as I made a profit out of my business up to now?—Because the life and health of the community are too valuable to be entrusted to a commercial company, and made the subject of Stock Exchange speculation and profit.

4706. We need not talk about "Stock Exchange speculation and profit," there is nothing of that kind here; they have been entrusted with the power and they have supplied the water?—I am not here to impeach the supply; do not lead me to that.

4707. I think we have gone as far together as we are likely to go; bread is a necessary of life, is it not?—Bread is a necessary, yes.

4708. Would you have State bakeries?—No, because you can get bread with ease in detail, each man can supply bread.

4709. So we can get water?—Hardly. Each man in his house cannot get water for himself.

4710. Excuse my saying there are certain difficulties about baking; that is another look out; now let us go to something else. By-the-bye, you said something in your examination in chief about the companies not having any monopolies as against a local authority?—I do not know that they have any monopoly at all. It is a legal question. I really cannot go into that. As far as my knowledge goes I will tell you that the companies, at least what I am told, rather, is that the companies have made a partition of London, otherwise they are unrestricted, they can supply all round.

4711. We are not talking about what the companies can do against one another, what I am rather going on is what you can do against the companies; are you aware that under Section 150 of the Metropolis Local Management Act, the Metropolitan Board of Works, whom you succeed for that purpose, are absolutely forbidden to give a domestic supply?—I am not aware of the fact. It is very possible that it is so.

4712. Although you are kind enough to admit the possibility of its being so, I will take the trouble to read part of Clause 150, which absolutely makes it clear. They are the last words of Section 150 of the 18th & 19th Vict. c. 120, known as the Metropolis Local Management Act. They are these:—"Provided always that nothing herein contained shall authorise the said Metropolitan Board, or any district board or vestry, to use or permit to be used any such works." I may say there were certain powers in the body of the section for making waterworks for definite purposes, "for the purpose of carrying water by supply pipes into any house or factory for domestic, manufacturing, or commercial purposes"; did you know of that?—I did not know of that particular section, but I have been told on very good authority that neither the Metropolitan Board nor their successors the county council have any powers with regard to water supply.

4713. There was another little matter of detail that I rather wanted to ask you about; you talked of the water level in the chalk being some 40 feet, I think you said, below high-water mark?—In the London basin of course.

4714. And therefore you saw some danger of the companies that were drawing water from that chalk drawing really clarified Thames water, as you called it?—Hardly so. If I said "companies" I did not mean it, I meant the wells in the centre of London. If it was continued there might be a chance of that.

4715. Because I was just going to ask you whether it is not a fact that at the East London wells, which are so deep that it is 140 feet from the surface of the ground where they are down to the chalk the water absolutely rises to the surface?—I believe it does.

4716. That shows that it has come from a higher level and has been intercepted on the road to the Thames?—Yes.

4717. I am rather glad to have from you an admission that, so far as those wells are concerned, it is perfectly clear that they come from uncontaminated water at a much higher level?—They come from a higher part of the Lee, of course, from the Hertfordshire drainage area.

4718. You also said something, which I want to clear up as we go along, about the Thames receiving no compensation in respect of the water taken from it by the water companies?—I merely stated that as a fact.

4719. Are you aware that all that theory of compensation to rivers, as settled by Parliament, refers, and refers only, to non-tidal rivers, and that in the Standing Order No. 14 all tidal or navigable waters are excepted from the category of rivers that are to be compensated?—I know that there is a Standing Order to this effect, that you need not, on coming to Parliament, give notice for a greater distance thon 20 miles down the stream, excepting you approach a navigation before that period. I presume that is the Standing Order you refer to.

4720. That is the Standing Order I refer to?—That is a Standing Order, yes; but I am not aware that Parliament has laid down any rule that because a river, or some portion of it is navigable you are not to give any compensation.

4721. I did not mean that for one moment; but you never heard of compensation being given to the navigable part of a stream, did you?—No, I cannot say that I did.

4722. And, of course, the intake of these companies is just above the tidal part of the Thames?—Yes. I am not accusing the companies of any dereliction of duty.

4723. I only want to get all these facts clear. I know how they can be used on one side, and I know how we intend to use the absolute facts on the other. Did you intend to make the suggestion that the companies were abstracting from the Thames more than they were entitled to take

Mr. *Pember*—continued.

take under their agreement with the Thames Conservators?—No. I merely was stating that I could not understand that point, and I think it is very important that the Committee should have it clearly before them, because I have my own notes. May I explain that?

4724. Certainly?—Under the Chelsea Act of 1875, Section 25, there is a positive prohibition to taking more than 20,000,000 gallons of water. Under the West Middlesex Act of 1866, Section 8, there is a like provision, preventing them taking more than 20,000,000 gallons of water. There is an agreement with the Thames Conservators, dated the 23rd of December 1886; in the recital are some words which I cannot understand.

4725. I shall be very happy to help you if I can?—Allow me to read them.

4726. Yes, certainly?—"And whereas the the Conservators and the company, being desirous of avoiding the expenses of and incident to the proposed application to Parliament, have entered into the arrangement hereinafter appearing," &c.; and then in the third clause of the same agreement we have: "In the event of the company introducing into Parliament a Bill seeking power to take, divert, and impound in any 24 hours from midnight to midnight any quantity of water not exceeding in the whole the quantity hereinbefore mentioned in respect of the company the Conservators will in every way and if necessary by evidence to be given at the expense of the company support the application and agree not to seek in respect of such quantity any further payment or compensation whatsoever." That I do not understand; and I see the matter was referred by the Board to Sir Henry James' arbitration, and Sir Henry James gave it in favour of the companies. This is the point (you will quite appreciate it) that I am in a difficulty about, I cannot understand how the Thames Conservators and the companies should make an agreement between themselves without coming to Parliament to legalize something which they are doing, or how Sir Henry James on the other hand, high as his legal position is, can set aside direct provisions in an Act of Parliament which prohibit the companies from taking more water. Of course I am not impeaching the honesty or fairness of the companies; but it is a mystery to me how it happened; and I think this Committee might be favoured with a little explanation on the subject, because we are asked to be placed under powers of compulsory purchase, and this is one of the many things that continually startle us in the investigation we are making.

4727. I am sorry for you if you can be startled by anything which is not a matter of very much importance; at all events Sir Henry James did give an opinion in the case of the West Middlesex Company that the agreement was a valid one, and the agreement of the West Middlesex Company was allowed to govern the Chelsea case?—So far as the damage was concerned. The West Middlesex Company were at liberty to pay this money to the Conservators. I have never seen Sir Henry James' award, and I cannot see how he got over this, or whether the question of the legality of their increasing the supply was ever put before him; it is a matter I merely ask you to explain to the Committee.

Mr. *Pember*—continued.

4728. Quite so, I should rather like you to tell me this: you spoke of injury to the Thames; have you any idea how much depth of water is taken at Hammersmith? If you take the sectional area of the Thames at Hammersmith, have you any idea what depth of water is taken by the whole of the water companies of London?—No, I merely stated it in this way: It varies in the years I have given, from thirty-three to forty per cent. of the total volume, whatever the total volume may be.

4729. That is the water coming over Teddington Lock?—Yes.

4730. I just want to emphasise through you, if I may, the effect on the Thames Valley; do you know that it does not represent more than about three inches of depth at Hammersmith?—I do not.

4731. I should rather like to ask you whether you have considered at all in your own mind the question of whether there might not be a somewhat elaborate control of the water companies, and whether something, I do not say analogous, but something equivalent, to what was done in the case of the gas companies might not be done with advantage to the water companies?—I have thought the thing a little over, but it is not a thing that commends itself to my mind.

4732. May I ask why not?—Because I think the time has come when the control of water and all sanitary matters should be directly in the hands of the representatives of the ratepayers.

4733. Now let us think for a moment. If effectual control could be given without purchase, not only with regard to present supply, and all the rest of it, but even with regard to the looking to the future also, does it not occur to you that it really would be a very good thing to get rid of the initial difficulty of raising an enormous amount of money, and putting further business, too, upon the county council?—I do not think it would be a good way of doing it.

4734. Why not?—Because it is quite clear you would not get anyone to undertake those onerous duties without they received some profit from doing it; and I think, with all submission, that had better be done by a public body.

4735. When you talk of "those onerous duties," what duties do you mean?—All duties connected with the health and sanitation which are collaterally connected with the water supply.

4736. The county council is not, as a matter of fact, the sanitary authority for London at all?—I know that; not technically.

4737. Not technically; not practically either?—I may be allowed perhaps to differ there.

4738. In what sense is it the sanitary authority?—The county council has, under its Acts, many powers of sanitation.

4739. Certain powers, but nothing like the powers which the ordinary urban authority has?—Oh, no.

4740. Therefore there would not be, even if a Bill such as you have been suggesting were to pass into law, that coincidence in the sanitary authority with the water authority that there is in other towns?—In combination with the local authority there will be that control, as complete and as perfect as there is in any town in the kingdom.

4741. I should just like to show you what

Mr. *Pember*—continued.

powers there are. Taking the Water Works Act of 1852, for instance, Section 5, I see, gives at present to the Board of Trade power, or rather forces the companies to give notice to the Board of Trade before they resort to any new sources, and they may appoint an inspector: "Three months before any company" (says the section) "shall resort to any new source of supply, such company shall give notice in writing thereof to the Lords of the Committee of Privy Council for trades and plantations, hereinafter called the Board of Trade, and thereupon within one month after receipt of such notice, the said Board of Trade shall, if they think fit, appoint a competent person as an inspector, who shall report with respect to any sources then specially authorised by Parliament, whether the directions of the special Act have been complied with in reference thereto, and with respect to any new sources not specially authorised by Parliament whether the same are capable of supplying good and wholesome water for domestic purposes"; take that as one element of power, in a possible "Board of Control" I will call it, do not you think that section might be taken as a basis for giving very useful powers indeed to some supervising or controlling body for the purpose of reviewing from time to time the conditions of existing supplies and proposals for new supplies?—Undoubtedly as far as it goes; but I understand we have moved further than that. I understand that the Committee have already decided that they are not going behind that ruling of Sir William Harcourt's Committee that it is to be in the hands of a public body.

4742. That is control; I am suggesting a public body with control?—For the reason I gave you just now I do not think that would be the best way of carrying it out.

4743. Still that sort of supervision would be a good thing on the hypothesis; I am asking you to take my hypothesis for the moment; I have dealt with yours; that section affords a basis for making a very excellent provision with regard to control in these matters?—With one exception.

4744. What is that?—I think it wants anothes another addition to that.

4745. What is that?—That the persons who were carrying it out did not make a pprofit by the undertaking.

4746. That we will come to; I will promise you to come to that. Subject to that you think that would be good?—No, I do not.

4747. You have said so?—I keep telling you that I do not think that mode of solving the question is the most advisable one.

4748. Very likely; but that is a point upon which we can, as you say, differ?—I am telling you that I do differ; you want to get me to say what I do not know.

4749. I do not want you to; I am only taking these as matters of detail; tell me whether in themselves they are not good regulations; there is Section 9 of the same Act, which says: "If at any time complaint as to the quantity or quality of the water supplied by any company for domestic use be made to the Board of Trade by memorial in writing, signed by not less than twenty inhabitant householders paying rents for and supplied with water by the company it shall be lawful for the Board of Trade at any time within one month after the receipt of such complaint to appoint a competent person to inquire into and concerning the grounds of such complaint, and to report to the Board of Trade thereon." Do not you think if there were such a board as I suggest that that would be a very valuable factor in their powers?—Looking back to the state of affairs in 1852, I have no hesitation in saying that those regulations were good: looking at those regulations by the light of 1890 I do not think that they are advisable.

4750. I will ask you presently what has occurred between 1852 and 1890 to make those regulations inadvisable, but not at present. Then I see by Section 26 of the same Act: "It shall be lawful for any company from time to time, with the approval of the Board of Trade, to make such regulations as shall be necessary or expedient for the purpose of preventing the waste or misuse of water, and therein amongst other things to prescribe the size, nature" of fittings and all the rest of it. That in itself I suppose is good?—There is nothing objectionable in that.

4751. Of course, as you know, under the Waterworks Clauses Act there are two or three sections which make it absolutely compulsory upon the companies to give a constant supply?—There are.

4752. And also there is a power in the Metropolis Water Act of 1871; Section 8 I see says this, that: "at any time after the expiration of six months from the passing of this Act, the metropolitan authority shall whenever they are of opinion that there should be in any district a constant supply, make application to the company within the water limits in which such district is situate, requiring a constant supply in such district, and any company may without any such application propose to the metropolitan authority to give a constant supply in any district." Then there is a power of appeal to the Board of Trade; that is the metropolitan authority, that is to say, the Metropolitan Board of Works or the county council as soon as it came into existence had power to compel any company to give a constant supply?—I cannot say what has been done in the past, the map speaks for itself, that it has been done to a certain extent, I believe largely by the initiative of the companies.

4753. Remember what my question was?—One moment; I am going to try and answer it. I cannot; speak for the past I know that at the present time the county council are in negotiation with the New River Company to introduce that in their district.

4754. Quite so; but has not all as a matter of fact that has been done up to this time, been done by the initiation of the companies themselves?—That I cannot answer. I do not know how it came about.

4755. That we must give our own evidence about. Then I daresay you know there are powers for audit under the same Act of 1871, and as to the expenditure of capital to look into anything that may have been done in the direction of powers for dividend or anything of the kind?—Oh, yes; certainly.

4756. Once more let me suggest this to you, as I did

Mr. *Pember*—continued.

did to Sir Thomas Farrer: if the companies with regard to future supply were put upon this footing, first of all, that all the money to be raised was to be raised under the auction clauses, borrowed under the auction clauses, that is?—For future extension?

4757. For future extension. If the companies were put first of all upon that; secondly, if it was also provided that they were only to have in respect of future capital what was necessary to pay interest on that capital, plus a certain margin for the expenses of management and risk, and so on; with regard to future supply where would the community of London be a bit the worse off if the supply was left in the hands of the companies than if it was put into the hands of the municipal authority?—If you will excuse me; Sir Thomas Farrer could speak with the authority of the county council; I cannot; do not press me upon the subject.

4758. I do not think you can have heard the question. Although you may be only an employé of the county council, and cannot speak with authority for them, that I know; I do not therefore ask you to speak in their name; but I ask you as a gentleman who knows his way about, so to speak, and has had a good deal of experience in these matters, if those regulations as to future supply and future capital were good, where in your judgment would the community of London be a bit the worse off if the supply were left in the hands of the companies than they would be if taken into the hands of the municipal authority?—Because it would be left in the hands of the companies.

4759. That is all?—That is all.

4760. It is, because it is?—It is because it is not under the direct control of the people of London; I cannot put it in any other way.

4761. I suggest provisions as to control, as to complaints, as to regulations, as to compelling to give constant supply, as to audit, and all the rest of it; now if that was all done and the economy of capital was carefully preserved, where on earth, so far as future supply goes, would be the improvement to the community in handing it over to the municipal authority?—Because I cannot imagine any body of men so blind to their own interest that they would carry that on without any profit accruing.

4762. Do not you think that if they said, "It is worth our while to maintain our present position with regard to our old capital to do this business for the community, if the community would give us a little margin for management and all the rest of it," do not you think it worth while considering?—I do not think in the year 1890 that we can contemplate a making of profit out of the health of a community at all.

4763. There would be no profit practically as far as this goes?—Then the whole thing falls to the ground. If there is profit, no people will be such fools as to embark in the undertaking.

Mr. *Bolton.*] What about the interest on the capital already in existence; that is not limited; that is to say, the difference between the interest received and the interest that might be received in respect of capital that has not earned its full interest at the present time.

Mr. *Pember.*] There is no unlimited capital, Sir. It is all limited to 10 per cent. and some to 7 per cent.

Mr. *Bolton.*] Some of it is not bound to either 7 or 10 per cent., and as to that——

Mr. *Pember.*] As to that, I put it, to begin with, Parliament, so far as I know, has never yet thought of confiscation on a great scale; and I put it that the right to earn the 10 per cent. is a matter which should be left to the arbitrator to put the value upon, he taking into consideration, first of all, the fact that the company is earning 6 or 7 per cent., as the case may be; and taking, secondly, into consideration what would be generally a fair payment on their earning the rest of their 10 per cent.

Mr. *Bolton.*] You were pressing the witness as to the advantages which would accrue to London by transferring the water companies' property and powers to a municipal authority.

Mr. *Pember.*] Quite so. Then, Sir, I remember that I had only taken him at present as to future supply. I will put in one word to yourselves, if you will allow me to do it, what I should have suggested to him with regard to present supply. With regard to present supply, I should say that is a matter of Parliamentary contract, which Parliament will not touch, so far as profit to the company goes; that Parliament will have fairly appraised the water at a certain sum of money, which represented the power to make that profit on existing capital; whether the companies were allowed to go on making that profit really does not matter to the citizens of London. For instance, if any power to earn 10 per cent. is worth 100,000 *l.*, it does not matter to the citizens of London whether I earn 10 per cent. on that capital, or whether they pay me 100,000 *l.*, and take it over themselves; in meal or in malt they pay it.

Mr. *Bolton.*] Therefore that is a claim to compensation for the potential profit.

4764. Mr. *Pember*: No doubt, I do not want there to be any mistake about that. I claim, first of all of course, a fair valuation upon what I really do now in the way of earning; I claim a fair valuation upon my possible earning power in the future under my statute; that is what it really comes to; and having done that I say if I get that which I want and which in justice I ought to get, after that is paid for they will really be paying in meal or in malt exactly what they would have paid to me if I had been there. So with regard to past capital; I say the question does not arise for that reason. I think it only necessary therefore to argue the point with the witness with regard to future capital, and I say with regard to future capital Parliament can make the community quite safe by having the money borrowed on auction clauses and all the rest of it, and give to the companies such a margin as would enable the company to pay the interest and have something for management. (To the *Witness.*) On top of that I want to put one question to you, Mr. Binnie; of course, with regard to all works, whether existing, or new works, but I confine it to new works in order to make it referable to what we have been talking about, about future capital; supposing no new

supply, either from fresh sources or from the Thames, where would the corporation get powers to give a supply to the citizens; there would be something, of course, to be debited to the citizens for the cost of management there?—Undoubtedly. You mean to say the thing would not manage itself.

4765. The thing would not manage itself?—Of course not.

4766. In other words, the community, if the works were in their own hands, would have to pay so much for interest, plus so much for management?—No doubt.

4767. We should, under my suggestion, get the same price; so much for interest, so much for management; then they are bound to buy the pecuniary profit, at all events?—I really do not understand your scheme, so you must excuse my not answering.

4768. I do not mean to put it again; therefore we will leave it. There is one thing more. Have you considered at all the advisability of anything like a scheme of total or partial amalgamation in the case of the water companies, such as Parliament sanctioned with regard to the gas companies?—I have not.

4769. Do you think that any such scheme of total or partial amalgamation would facilitate the getting of water from new sources of supply?—I have not gone into the question at all.

4770. Do not you think yourself, without having gone into it previously, that it might facilitate companies going for a common supply from a distance, if two or three of them, companies on the north, or companies on the south, were amalgamated, and so on?—I really have not given any attention to matters which go behind the decision of this Committee.

4771. This is rather an isolated question, but I want to get the answer to it on the Notes; are you aware that the West Middlesex Company now pay 10 per cent.?—I have seen it on the figures; but I do not know it in any other way.

4772. And that they have no claim for back dividends?—I did not know that.

4773. And that they are giving their customers already the benefit of a cheaper supply in consequence of their having arrived at their maximum dividend?—I am not aware of that. It may be so. I am not disputing it.

Mr. *Bankes.*] I appear for the Conservators of the River Thames, and in the absence of my learned leader I propose to put a few questions; but before doing so there is a remark which I should like to address to the Committee, if they would allow me, with reference to your ruling, Sir. Before your ruling, with regard to the question as to going into the quality and quantity of the water, Mr. Binnie made some observations with regard to the quality of the water flowing over Teddington Weir, which are of great importance to my clients, the Conservators of the Thames. But for your ruling we should have cross examined Mr. Binnie upon them; and what I would like the Committee to do, if it would, is to allow it to be placed upon the records of the Committee that the Conservators cannot accept Mr. Binnie's statement with regard to the flow over Teddington Weir, and that we only refrain from cross-examining upon that point out of deference to the ruling of the Committee. If that appears upon the records, in the future my clients will be safeguarded in the event of any future question arising upon the point.

Chairman.] Certainly, by all means.

Mr. *Rigg.*] I appear, Sir, for the Lambeth Water Company, which is one of the water companies taking water from the Thames, and I desire to add to what my learned friend Mr. Bankes, has said, that certainly the Lambeth, and, I imagine, the other companies taking water from the Thames, cannot in any way accept the statement made by Mr. Binnie as to the flow over Teddington Weir, or as to the result upon the water below Teddington Weir of that flow. If you notice his evidence which was given on the 9th June, you will see that for some reason or other, he has selected the month of August in two different years, and that his figures are taken from some figures which were supplied at an inquiry which I believe was held by the Corporation of London, at which the water companies were not in any way represented, and he was not cross-examined upon those figures. Of course, after the ruling of the Committee, I do not suppose it would be worth our while cross-examining. I do not suppose the Committee would desire it, but we desire to say that we should most certainly contradict those figures, and we contradict all the conclusions he draws from them, and if the Committee desire to go into the matter at all, we are prepared with engineering evidence of certainly equal weight with Mr. Binnie's evidence to show that he is entirely wrong.

Chairman.] The Committee are not prepared to go into that question at the present moment at all events, as they have already indicated. It only remains for you, on behalf of your clients, to put in a sufficient *caveat.* If you are satisfied with putting in that *caveat* it will be quite sufficient for the Committee.

Mr. *Rigg.*] Quite so.

Cross-examined by Mr. *Bankes.*

4774. One or two general questions: In whosoever hands the control of the London water may be, it would be necessary that there should be a conservancy body to maintain the flow and purity of the upper river?—I presume there would be some conservancy body. Having said that, allow me to say I think it would be most impolitic that that conservancy body should have a direct money interest in the quantity of water abstracted from the the Thames, as at present, I cannot imagine, looking at it from a question of conservancy, anything more against public policy than that a body which has charge of a river should be a direct money gainer by the quantity of water abstracted from the river.

Mr. *Bristowe.*] It is all spent upon the river, is it not?

Mr. *Bankes.*

4775. Assuming that there must be a conservancy body, it is necessary, is it not, that they should have the necessary funds at their disposal to do the works which they are required to do?—Yes.

4776. Do you know that Parliament has expressly

Mr. *Bankes*—continued.

pressly authorised the taking of moneys from the water companies as a sourse of revenue for the Conservancy?—Undoubtedly; I am not disputing the facts.

4777. Do you know also that the only body that has ever imposed any limitation upon the amount of water taken is the Conservancy?—Parliament apparently has done it in those Acts that I read this morning.

4778. With the exception of those two Acts, you know nothing of any limitation upon the amount of water which may be taken by the companies?—No, it is by some arrangement with either the City or the Conservators, but I am not clear upon the subjeci, and, as I said before, I think it would be as well if this Committee had it clearly before them.

4779. With regard to the Chelsea Act, which is one of the two you have mentioned, do you know that in the clause which you have referred to, Clause 25, the proviso regulating the quantity was inserted at the instance of the Conservators?—I do not.

4780. And with regard also to the West Middlesex, do you know that the clause in that Act was equally inserted at the instance of the Conservators?—I do not.

4781. With regard to the agreement with the Conservancy of December 1886, you know, do you not, that that has been before Sir Henry James, the legality of that agreement?—Yes.

4782. And that he has decided in favour of the legality of it?—Yes; but I have explained my position with regard to that. I do not dispute that fact; but what I do dispute is the right of Sir Henry James, or any other person to set aside a statutory provision in an Act of Parliament. I do not understand it. It is for you legal gentlemen to show how he gets at those powers.

4783. I unnerstand your objection with regard to the agreement is that it sets aside a provision of the two Acts of Parliament I have mentioned, the West Middlesex and Chelsea?—Apparently it does so. I may be entirely wrong, but I think it is a matter that ought to be cleared up.

4784. The objection with regard to the agreement, setting aside the provisions of the Act of Parliament, does not apply to any other Company except to Chelsea and West Middlesex?—Apparently not. I do not know. I have not been able to unravel it. It is one of the great difficulties I have encountered the last few months in getting at the bottom of this question. I have been refused access to the works of companies. I cannot find out why.

Mr. *Rigg.*] Oh, no; I must remind you of my company.

Witness.] With the exception of the West Middlesex and two others, I have.

Mr. *Rigg.*

4785. I must remind the Committee of what passed. The London county council wrote and asked for permission to view the works of the different companies, among others the company which I represent. We told them if they thought fit, and it was arranged, they could come and see them. (To the *Witness.*) Do you say that you have been refused?—I cannot go into the whole question, because we have not been met in a friendly spirit, as I hoped we should have been. I do not say that that applies to three of the companies; five out of the eight refused, or practically refused.

Mr. *Bankes.*

4786. Just a word further abeut this agreement, please. You know, do you not, that under the Chelse Company's Act, they have a statutory right to take not more than 20,000,000 gallons per day?—Yes, I believe so; so I read it.

4787. And that, under the agreement, they were given a power to take an additional 2,000,000 gallons?—Yes.

4788. Do you know as a fact that the average amount taken by the Chelsea Company is something like about nine and a-half million gallons?—Yes; I am not disputing the quantity.

4789. So that, so far as the Chelsea Company is concerned, they have never yet approached anything near their statutory amount?—I believe that is the case; I am not alleging that they take more water.

4790. With regard to the West Middlesex Company, do you know that their statutory limit was also 20,000,000 gallons?—Yes, it was.

4791. And that the agreement gave them an additional four and a-half million gallons?—Yes; altogether 24½ million gallons.

4792. And that they have only taken an amount on an average of 15½ million gallons?—I believe that is so.

4793. So that they also have never approached their statutory limit?—No. I know the average quantities they have taken, but I do not know what the maximum quantities may be from time to time.

4794. That being so, is it true to say that the Conservancy, with regard to the payments they are at present taking, have a direct interest in the amount of water taken?—If the arrangements under that agreement are valid, they have a direct money interest in increasing the quantity of water taken by the companies.

Mr. *Bristowe.*] May I ask one question. Any money that goes into the hands of the Thames Conservancy is expended on the river itself, is it not?

Mr. *Bankes.*] Absolutely.

Mr. *Bristowe.*] I mean there is no money interest except to develop the river, keep the banks, and all that sort of that sort of thing.

Witness.] The traffic of the river.

4795. You rather make out that they are making money out of it?—I am not alleging that at all.

4796. I want to clear that up?—It is spent on the navigation of the river. My objection is that it is taken out of the pockets of the ratepayers, and spent on the navigation of the river. Not to trench on ground that has been stopped, I do not consider a navigable stream a proper source of water supply.

Mr. *Bankes.*

4797. Is it correct to say in any sense that the Conservators sell water to anybody?—They get money for permitting persons to take water out of the river.

4798. What is your authority for that statement?—The agreement.

4799. Before calling your attention to the agreement, have you consulted the terms of the last Act of Parliament dealing with this matter, the Conservancy Act of 1878?—I have looked through it, but it is not quite clear to my mind.

4800. Do you not know that the whole scheme of legislation allowing any payments to be made to the Conservators is that they are, in return for those payments, to keep up the works and navigation of the river?—Undoubtedly. I am glad the honourable Member gave me an opportunity of correcting an impression I did not intend to convey.

4801. And the maintenance of works includes also works which are necessary for maintaining purity of the water?—I do not know. I should not like to go so far as that.

4802. That you have not gone into; do not you know that they have large powers for stopping the passing of sewage and offensive matters into the river?—I know they have had several lawsuits, and I will assume that the money has been paid by the companies. I do not know that it has; I assume that it has.

4803. Let me read you the words of the Preamble of the Act of 1878, which run on these terms: "Whereas the funds available for the preservation" (*reading down to*) "under the provisions of the Act." That points, does it not, exclusively to the maintenance of the necessary works as a consideration for the payment?—Apparently so.

4804. You have pointed to the agreement as showing that there are words there there which indicate a sale of the water. Will you kindly tell me which words you rely upon as suggesting that?—That in consideration of their being allowed to take a larger quantity of water from the river, they pay a larger amount of money to the Conservators.

4805. May I read the preamble of the agreement: "And whereas the Conservators have lately represented to the company that the annual income they now receive is inadequate to the proper fulfilment of their duty as Conservators of the river, and that they intended to apply to Parliament in the ensuing Session for a Bill requiring the company and other companies drawing water from the River Thames to make further annual payments to the Conservators. And whereas the Conservators and the company being desirous of avoiding the expenses of, and incident to, the proposed application to Parliament, have entered inio the arrangement thereinafter appearing. And whereas the four other companies named in the schedule hereto, and hereinafter called 'the four other companies' have entered into a similar arrangement with the Conservators now it is hereby mutually agreed by and between the company and the Conservators as follows:—(1) The company shall pay to the Conservators the annual sum of 1,000*l.*, and so on, "if and so long only as the company are permitted to draw water from the River Thames to the extent hereinafter provided." Then it goes on to provide that the Conservators shall from time to time take steps to prevent the fouling of the river generally, "and especially defilement from house-boats, and shall expend a fair and proper portion of the payments agreed to be made by the company in the duties appertaining to purification?"—Yes, I have read all that,

Mr. *Bankes*—continued.

4806. Is there a word with regard to the sale of water?—It does not say the "sale," but we will say the permission to take more water from the Thames, if you like. I forget the exact words. The words are perfectly correct. They convey my meaning quite clearly. I meant for the payment of an extra amount of money the company should be permitted to take an extra amount of water over and above that prohibitory limit imposed by Parliament.

4807. Is not the maintenance of the works of a river essential to maintain the flow and purity for instance, such works as weirs, locks, and so on, is not the maintenance of those in proper condition essential to maintain the purity and flow of the water?—Very deterimental to the purity of the river.

4808. In what way?—Because they increase the navigability of the river, and in such a way render it, in my opinion, it may be entirely wrong, an improper source of water supply. Anything which tends to increase the traffic on the river, as a navigation, must tend to defile that river, and render it a worse source of supply.

4809. Your answer applies merely to this, to the extent to which they increase the navigability of the river, in your view they cease to improve it as a source of water supply?—Yes. I am not wishing to impeach or to say anything but that the Thames Conservators have done as much as they possibly can, in fact I am often surprised, when I read what they have done, that they have been able to do so much. At the same time they cannot do more than is possible.

4810. That is the last question I was going to ask yon. You do not suggest against the Conservators that they have done anything they ought not to have done, or that they have left undone anything that they could reasonably have done?—Oh, no; reading over their Act I have come to the conclusion that Parliament has imposed uyon them an almost impossible task.

4811. They fulfil that "impossible task" to the best of their ability?—To the best of their ability.

4812. And with great success?—I cannot say "with great success" from my point of view.

Cross-examined by Mr. *Worsley Taylor.*

4813. I have just a few questions to ask for the Middlesex county council and West Ham; I suppose generally you would take all that Sir Thomas Farrer and Mr. Cripps have said?—Yes, I do.

4814. You would agree in the view that the outside authorities, those at all events of such importance as Middlesex and West Ham, are entitled to the fullest consideration in this matter?

Mr. *Worsley Taylor*—continued.

ter?—In the matter of water supply, certainly.

4815. And of the acquisition of the water undertakings?—I will go as far as Sir Thomas Farrer has gone. As far as it is possible we should like in all cases to hand ouer to the local authorities the entire water supply of their companies' districts. We do not see our way to pledge ourselves to do so, but if the inquiry for which we are here asking is granted we should be very glad to meet you, or your clients rather, on that subject.

4816. Your only object would be to make a fair arrangement with that view?—With that view, and I want that to be done.

4817. I suppose you agree with Sir Thomas Farrer that that is a matter of extreme difficulty and complexity, and that it will necessitate prolonged inquired and probably considerable negotiation?—Undoubtedly it would.

4818. In all those matters than such authorities as those two would be equally interested with yourselves; I mean on the result of that inquiry and negotiations their fate in regard to this matter of water would depend?—It would apparently.

4819. And I suppose it is impossible for you to suggest that this Committee could lay down the precise lines in which the control of the water should be given?—I do not like to say what this Committee can do. I do not see at this stage of the Session that the Committee could very well go into it. I know the question is very complicated, and it is better left alone, because each instance differs.

4820. But there are three heads into which it may be divided; take them in any order; one for the supply to outside; second, what I may call severance, giving them control over the sources of supply; and the third would be by buying up the companies and supplying them in detail in lieu of the water companies?—Yes.

4821. Those are the three heads?—Those are the three heads.

4822. Which of those could be applied to each particular case, none of us in this room could possibly undertake to say now?—No, I do not think you could.

4823. That being so, do you propose that representatives of these outside authorities, such as Middlesex and West Ham, should have, not the control over your negotiations or your inquiry, but the right to be present at all the meetings and a knowledge of all the facts; the right to be present, that is for the purposes of consultation and inquiry?—I do not think it is contemplated at present, but certainly in any negotiations, where, say, West Ham was concerned we should not attempt to do anything behind the back of West Ham; it would always be done openly; and when they became either the possessor of a branch of the waterworks, or if they chose and it was arranged that they should be supplied in bulk, they would have then the entire control within their own district, and they would have no necessity to come to the central body at all.

4824. The arrangement surely must depend upon knowledge on both sides?—Of course.

4825. That being so have you any objection

Mr. *Worsley Taylor*—continued.

to those authorities having the right to be present at your consultations; they only want to get at the facts?—That is a matter I could not answer; I should think any facts necessary for their negotiations would be open and free to to them, but I cannot say how far they would have a statutory right to be present at meetings of the committee; that is a little more than I can speak to.

4826. Do you suggest to me any reason against it? Both parties only want to get at a fair arrangement with a view to the introduction of the Bill?—Yes, I can. As far as it relates to negotiations for the supply of any local district, yes. But if you go beyond that, and say that local districts having been arranged with we will assume amicably on both sides should still have a right to come to the statutory committee (I do not know what purpose you are suggesting it should be done), and have some statutory right to be there when it had no longer any interest in the matter, I do not agree.

4827. You do not quite follow me; you are going to have a long inquiry, the result of which you hope will be a Bill, and taking it further an agreed Bill with the outside authorities?—We hope so.

4828. For the purpose of agreeing that Bill and getting necessary information with regard to it, do you yourself see any objection to giving representatives of the outside authorities the right to join in the consultation which would lead up to it?—They would as a matter of necessity be consulted at every step. Already (I think Sir Thomas Farrer told you) to try and solve this question we have called one meeting.

4829. We have got the principle I think now; and I suppose you would agree in this principle, that the outside authority where there is a supply of water within its own area has the first right to the use of that supply?—I think supposing the supply is not already appropriated that Parliament generally grants that; at least waterworks engineers always proceed upon that assumption.

4830. Quite so, that is at the back of all Parliamentary legislation. One word only with regard to this precedent as to supply in bulk of outside places; Bradford for instance. Can you quote me any case in which there has been a supply of water got for a large town which supplied in bulk from within the district of an outside authority?—In the case of Bradford there is one district, a district called Denham, or an out township called Denham, in which there is a collecting reservoir of the corporation.

4831. Is there a collecting reservoir?—Yes.

4832. That is the only case?—That is the only case I know of. I am telling you that as a fact, but it is a very insignificant thing. If you get to Denham you would hardly know it; there are only a dozen or two houses.

4833. With that exception you could not quote me a case?—No.

4834. And equally in none of those cases could you find such a body as the Middlesex county council existing outside?—No, I do not think so; the only analogous case of a large kind like that is a case which I think another witness will speak to, that is Manchester; supplying the borough of Salford in bulk.

 4835. That

Mr. *Worsley Taylor*—continued.

4835. That would apply also to a populous place like West Ham?—It would.

4836. Suppose it should be decided ultimately that you, the central authority, were to supply any outside district in detail as the water companies now do, what is your objection to giving representation to that outside authority?—Because I do not think it necessary.

4837. In whose interest?—In the interest of themselves.

4838. Of the outside authority?—Yes.

4839. Suppose they consider that it is, what is your objection in the central authority?—I do not think they can understand the position the county council is taking up. The county council and the corporation between them are proposing to undertake all the money liabilities of the concern; and if they follow out the principle which they have laid down, I feel pretty confident they will; they are not seeking to have any rating powers in these out-districts.

4840. That is the distinction you draw?—They have but a very limited money interest in the question; they have not undertaken the responsibility; they have not subscribed towards capital which would be necessary; nor are they under rating liabilities. The witness who will come from Manchester will tell you that in the case of Manchester they have many of the out-townships which are supplied directly by the corporation, who have no representation at all; they have no interest in the great capital expenditure.

4841. I may take it that is your objection on that score?—Yes.

Cross-examined by Mr. *Giles.*

4842. You said in your evidence that the Bradford Corporation were under an obligation to the outside areas not to decreas the supply to them?—Yes.

4843. Is that obligation contained in their Act of Parliament, or is it by contract merely?—Oh no, it is by Act of Parliament. I can give you the clause; I know it is in the Act of 1875; I think it is the 8th clause or the 9th clause.

4844. You were at Leeds about 15 years, I believe?—At Bradford.

4845. At Bradford, yes; I beg your pardon?—About 15 years; yes.

4846. How many outside areas take their water from the corporation?—Twenty-eight out of 31; and then, to illustrate what I meant just now in reply to your learned friend, in one case the corporation allowed an out district, that of Shipley, to supply itself from its own waterworas. In this municipal system of treating waterworks, there is no desire on the part of the central authority to invade an out-district.

4847. You are quite entitled to give the explanation; it does not concern me; 28 authorities received their water through the corporation while you were the engineer?—Yes.

4848. That is since 1875?—Since 1875, yes.

4849. I have no doubt you are familiar with the circumstances of the different water companies and corporation mentioned in this book?—Yes, most of them; I cannot say so minutely as in the case of Bradford.

Mr. *Giles*—continued.

4850. Can you tell me by reference to the book when the Leeds Corporation bought the undertaking of the water company at Leeds?—I cannot, exactly; it was a little after 1866, I think.

4851. That would be near enough for my purpose?—I think it was; I am not quite sure.

4852. Perhaps you can tell it if you look?—I know they obtained their Water Act about that time; I am wrong, it is 1867; 30 & 31 Vict.

4853. And Halifax?—Halifax has many Acts. I could not tell you how far back they go.

4854. Can you tell me by reference to the Table which you have there?—No; this is a Table attached to the Appendix of my Report; it merely deals with certain questions of compensation.

4855. Is it some time ago?—It is a long time ago.

4856. Twenty-five years?—Fully.

4857. That will be sufficient for my purpose. one question in regard to the necessity of the new supply you have spoken of; do you say there is any immediate necessity for that?—Within measurable distance; I would be sorry to say exactly what distance, because there is an antecedent question to be worked out.

4858. Do not let us go into antecedent questions; give me some idea of your idea?—I must answer my question in my own way.

4859. I merely ask you a fact?—Yes, that is the whole question of this important inquiry. I am telling you how difficult it is to answer a single question; to reply to your question, I must know from Parliament, and Parliament alone can tell me, whether I am to take more water from the Thames or not; that is one of the important questions that stares us in the face.

4860. Let me take the average; I think that will be the fairest way to do it?—85,000,000 to 86,000,000, I think it is, speaking without the figures.

4861. Is there any part of London where you think there is a necessity for an immediate supply?—If you ask me the question in that way, I think there is.

4862. Which?—The whole of the Thames supply. Of course, I must not say for what reason, because the Committee have said I am not to speak upon the subject; but I say the whole Thames supply is bad.

4863. You say there is an immediate necessity for a new supply of water to the whole district supplied by the Thames?—I put it in this way, as long as the present Thames supply exists the people of London ran a very great risk.

4864. That is not what I was asking you at all?—And the sooner that risk is removed the better.

4865. I can understand that in a district which is supplied like that of the Lambeth and Southwark and Vauxhall companies; what I ask you is: whether in your opinion there is any immediate necessity for a new supply of water, distinct from the source of the Thames, from which those two companies now draw their water?—As soon as possible.

4866. "As soon as possible" may be, as a matter

Mr. *Giles*—continued.

matter of opinion, an age; but is there any immediate necessity?—The sooner the better; I can only put it in those words.

4867. Have you formed in your own mind any idea of the time when it will be necessary to obtain a new supply?—I want it as soon as possible; I have no power to form any idea; the body that I represent are not vested with any powers of doing anything; that is our unfortunate position. I am not able to say how long it will be that Parliament will keep us in the present position. When you answer me that question then I will tell you.

4868. I will ask you this then; have you made up your mind how long it will be before the limit of water authorised is taken from the Thames?—No, I have not done so; I am waiting until I get the new census return to work out something of the kind.

4869. Could you give the figure now?—No; it is quite clear that it will not be long before the companies or the council, or whoever have the water in their hands, will have to come to Parliament for an increased supply.

4870. A question of a few years?—A question of a few years, yes. I do not mean to say next year or within two or three years.

4871. Within five years, would you say?—It will be more than five years.

4872. Now I will take you to the district of Wimbledon; you are conversant with that?—I know it.

4873. It is supplied by two companies, the Southwark and Vauxhall, and another?—It is capable of being supplied by two companies.

4874. Do you know as a fact that it is?—I do not.

4875. Will you accept it from me that as a fact it is supplied by the Southwark and Vauxhall marked *there* blue (*pointing to the cartoon*), and by the Lambeth Company to the south-east of that?—Yes.

4876. Do you know how many mains supply the district of the Wimbledon Local Board?—No.

4877. It is very likely it would be as many as three or four; perhaps you will take it from me it is as many as three important mains, if you do not know?—I do not know.

4878. Will you take it from me?—I will assume that it is so.

4879. Would that represent any serious difficulty in supplying that district in bulk?—None whatever.

4880. Would the fact that some of those mains supply the local board district and go through the district to supply other districts, represent any serious difficulty?—None whatever.

4881. It would mean, would it not, that there would have to be a number of meters?—Undoubtedly.

4882. And both at the points where the water comes into the district and at the points where the water leaves the district?—If we leave the pipes in their present state, of course. I am assuming that nothing is done to improve the laying out of the pipes. I do not know any of the facts.

4883. I ask you to accept the facts from me (if necessary I will prove them) that there are not less than three mains, and some of these mains supply districts after passing through our district?—Yes.

4884. Would not that involve, as I say, at least three mains coming into the district, and three meters at least coming into the mains, as many meters as there are districts supplied by the mains after leaving us?—If the pipes are left in that state, yes.

4885. If the pipes are not left in their present state would involve a considerable outlay, would it not, to put them in such a position as to supply the district in bulk?—I do not know the circumstances of the case, but in these questions of supply I have never found them involve any very large amount of outlay.

4886. I am putting to you a distinct set of circumstances?—Well, as I do not know the circumstances or the distance I cannot answer you.

4887. I ask you to accept them?—I accept what you say, Sir, and should be very happy to meet you as far as I can; but I do not know the distance of these pipes or anything about them.

4888. Accept my facts; if it is necessary to prove them I will do so. Tell me whether it would not involve considerable outlay to so newly arrange those mains as to supply this district in bulk?—I have never found that this question did involve any considerable outlay whatever.

4889. Have you ever supplied a district in bulk under such circumstances?—I have supplied a district in bulk, as I illustrated to the Committee the other day, three districts, one beyond another, in two different modes; one by a pipe passing through the whole, involving the erection of three meters; and another case where there were three parallel pipes, each supplying its own individual district.

4890. That I understand to be a case where you supplied water to them upon their application?—Of course; we do not propose in that case, or this case either, to force you to take the water if you do not want it.

4891. At Bradford; you have said in your evidence that a charge was made of ninepence a thousand gallons to outside areas?—Ninepence a thousand gallons.

4892. Have you any idea in your mind as to what the price would be in bulk to outside areas?—In London?

4893. Yes?—I have not.

4894. What would it depend upon?—The cost of the water; in those cases there is no profit accruing.

4895. You say there is no profit accruing; is there any profit accruing in Bradford?—No, I do not think so.

4896. You are sure of that?—I cannot say that there is; I know what the affair amounts to; it amounts to a balance one way or the other every year.

4897. Let us have that plainly stated; is there any profit made out of that 9 *d.* a thousand gallons?—No, nothing beyond the working expenses.

4898. You say there is no profit to the inside; to the borough?—No; to give you an instance, inside the borough the people themselves get water at 8½ *d.*

4899. I want that question directly answered?——

Mr. *Lawson.*

4900. Is that according to statutory conditions?—The outside charges.

4901. No, no, as to the profit?—Oh no. They are not allowed to make any profit on their waterworks; but I think the learned gentleman wishes me to explain whether they make a profit on that part of their undertaking which is outside.

Mr. *Giles.*

4902. Yes, I want to know that?—No, I do not think they do. I cannot make out that they make any profit at all. There is no intention of making a profit, and they are very sharply looked after by the outside people in making their agreements.

4903. The waterworks as a whole makes a considerable profit, does it not?—I am sorry to say it does not.

4904. Take these figures, and look?—I know that they have had in several years lately to levy a rate in aid, which does not look much like making a profit.

4905. I have all the figures here before me; do you mean positively to say (the question I ask you is this: with regard to the outside areas) that there is no profit to the borough in that 9 *d.* a thousand gallons to the outside?—No.

4906. Do you say that there is no profit at all?—There is no profit at all in any part of the undertaking.

4907. I am not asking as to "any part of the undertaking"?—Nor in the outside districts either, nothing beyond the mere cost of maintenance and management.

4908. That is what you say in regard to that?—Yes.

4909. There is no mistake on that?—No, I do not think there is the slightest mistake.

4910. Do you know of any case where a profit is made by a waterworks in the hands of a corporation?—I do not.

4911. Do not you?—I do not.

4912. Is it not the case that the profit of waterworks sometimes goes in aid of the rates?—There may be cases of that kind. My general experience is that it is the other way, that gas, or something else, has to help out water.

4913. You say "there may be cases"?—There may be cases. I do not know cases of the kind. There is generally a statutory provision that if the receipts, after paying all proper expenses, exceed the requirements of the case they shall either go in extinguishing the debt or reducing the rates.

Mr. *Bristowe.*

4914. Do they ever raise the price if it does not meet the expenses?—If it does not meet the expenses very often they do.

4915. Then there can be no profit under those circumstances?—No.

Mr. *Giles.*

4916. Do you happen to know how that works out per thousand gallons inside the borough of Bradford?—The whole supply for domestic purposes?

4917. Yes?—No, I do not. It is sold for trade purposes at 8½ *d.*

4918. At 8½ *d.*, that is in the borough?—And for some very large consumers at 6½ *d.*

4919. Eightpence-halfpenny in the borough? Yes.

4920. You say you cannot give any idea of the cost per thousand gallons to the outside areas. In London that would depend, I suppose, upon the prices that would have to be paid to the companies; that is one thing?—That is one item, no doubt. It would be very much less than that 9 *d.*

4921. If you do not know, how can you say that it would be less?—I can tell you in round figures that it would be less than that.

4922. You can only guess?—Oh, no; it is not a guess.

4923. Give me some basis of your calculation then, if you say it would be less than 9 *d.*?—For this reason, the water supply of Bradford is about one of the most expensive water supplies in the county.

4924. That is the only reason you have got?—It is a very important reason, I think. Then I may say on the other hand that I know London is about one of the cheapest.

4925. I am bound to say I do not think it is a very good reason; I ask you now what the price would be charged upon the outside areas; you say first of all it would depend upon the price to be paid to the companies?—That is one of the items.

4926. And I take it that another element in arriving at the price would be the cost of providing an additional supply?—If an additional supply became necessary for that particular district.

4927. Is there anything else?—The working expenses of the whole thing.

4928. That would concern the outside area as much as the inside; they would have to purchase their mains, would not they?—They would, that is our proposal, to give them an opportunity of doing it.

4929. Is there anything else?—I do not think there is very much else that concerns them. They would have all those charges, and I imagine Parliament would not trust those to the county council without providing some proper court of arbitration to settle the point.

4930. Those are the two things that would come into calculation in arriving at the price that would be charged?—Yes.

Cross-examined by Mr. *Richards.*

4931. First of all, suppose the statutory committee of the corporation and county council supply the water in detail to the outside areas without representation, what do you say as to differential rating?—That is a difficult question to deal with, that I have not gone into.

4932. I want you to give us your experience at Bradford; are all those outside areas supplied by a meter?—They are with two very small exceptions.

4938. For instance, take a place of the size of East Ham, with 32,000 people, would you suggest that the supply should be by meter, or that the statutory committee should supply and rate?—I should suggest that it should be by meter decidedly.

4934. Now

Mr. *Richards*—continued.

4934. Now with regard to the supplies, the supplies on that side of Essex from the East London Waterworks and from the springs and Thames water, what would you say as to the springs? Should the springs remain in the possession of the Essex county council, or would you still claim to have the right to take water from the springs in Essex for the supply of the county of London?—We should, I presume, purchase all the rights of the companies, and then, as I remember Sir Thomas Farrer explained to the Committee, as far as possible and as long as it did not interfere with the statatory obligations imposed upon us by the companies we purchased, give such supply as we could to the local districts.

4935. I am separating the springs from the other supply which comes from the Thames?—Yes; I quite understand that.

Cross-examined by Lord *Robert Cecil.*

4936. Perhaps in the absence of my learned leader, I may be permitted to ask a few questions on behalf of the Hertfordshire county council. In the first place, may I take it that you would apply the same answer you gave with reference to the Essex springs to the Hertfordshire springs?—In so far as not limited by the obligations of the Act of Parliament under which they are acquired.

4937. I want to put a question to you about this Bill which is now before the Committee. Supposing that under this Bill a water authority purchased one or more of the companies, as they would be bound to, of course, under this Bill; is it not a fact that under Clauses 6 and 7 of the Bill (I do not know whether you have a Bill before you) they would be entitled to supply the whole of London from any one of the sources which they so purchased?—Yes, that is a clear from the Bill.

4938. Supposing, for instance, that they purchased the East London and New River companies, they would be entitled, as far as it went, to take all the water they were allowed to take by the Acts of those companies, to supply the whole of London?—That is so. They might take East London water and deliver it in the district of, say, the Chelsea Company, or any other company south of the river. That apparently is a power sought under Clause 7 of the Bill.

4939. So that, practically, the only limits to the amount that they may take from those sources would be the limits that at present control the companies' powers?—Apparently so.

4940. And if, as is the case, there are practically no limits to the powers of the East London and New River Companies, they might take all the water they could find there?—They could.

4941. That is so, is it not?—That is so.

4942. And if that was the case it does not need any demonstration to show that Hertfordshire would be very much injured, or might be?—Might be.

4943. I am putting this generally. Do you think it would be fair that Hertfordshire should be heard fully upon an inquiry generally into the sources of the New River, and the East London companies, before any such agreement or such purchase should be made?—I think it would be, certainly.

Lord *Robert Cecil*—continued.

4944. I have been speaking of compulsory purchase. The same reasoning would apply equally to purchase by agreement, would it not?—Yes.

4945. Under Clause 3 they have power to acquire lands. Would it, therefore, be in the power of the water authority to purchase as much land as they could get in the neighbourhood of their works, and sink fresh wells?—I do not quite follow the clause; but I may say at once if they have power to buy land of course they have power to sink wells upon that land.

4946. And without going into an inquiry which I understand the Committee does not wish to go into, may I take it generally that your opinion is that fully as much water as ought to be drawn from Hertfordshire is drawn from Hertfordshire by the wells now?—I think the quantity of water drawn from the Lee is as much as safely can be drawn.

4947. You have said that already in your examination-in-chief. You would apply the same remarks to the source of supply from the wells, would you not?—When I say the Lee I mean wells and river.

Cross-examined by Mr. *Rickards.*

4948. As a matter of fact do you know what the powers are in the Bill for acquiring and holding land?—Not further than the clause that the learned gentleman has just drawn my attention to.

4949. I suppose it is in Clause 3, which provides that they "shall be a body corporate," "having a perpetual succession and a common seal with power to sue and to be sued, and to acquire and hold lands for the purposes of their constitution without any license in mortmain." Do you suggest that that is a general power to buy land adjoining the works?—I must ask you to put an interpretation upon it. Apparently on the face of is it is a power to hold lands.

4950. It is a power to hold lands, but they take a power to hold lands which——

Lord *Cecil.*] May I call you attention to the 6th Clause also?

Mr. *Rickards.*

4951. Yes, I will come to that in a minute. (To the *Witness.*) It is a power to hold lands for the purposes of their undertaking, the lands contemplated being the lands that form part of the works of the companies we propose to acquire?—That is what I assumed it to mean before the learned gentleman put it to me in that way; and if I rightly recollect, in replying to him I went upon that assumption, and said, if they have power to buy land clearly they have power to put a well upon it.

4952. With regard to the other question which has just been asked you as to Clause 7, I suppose I may take it that if the water authority were to acquire the undertakings of the water companies at any future period they would work them as a whole?—I imagine they would.

4953. Would you suggest that if they do that (that is to say, work the undertakings as a whole) there should be a limitation upon their powers to utilise

Mr. *Richards*—continued.

utilise one part of the works for one part of the supply, or one part of the water from any particular source of supply, for the supply of another part of the area if they had to supply. Do you follow that question?—I think I know what you mean. What I understand would be the position is this, Supposing a public body was seized of all the powers of the waterworks companies I think it is only reasonable that within the county of London, or even within the district of supply, they should be at liberty to use that water in the most economical manner, and if limitation is to be applied I think it is not in that direction, the source from which it should be drawn.

4954. I am not on the sources now; it is hardly worth arguing; I am assuming that the water authority has acquired the undertakings of several companies, and I ask you this question: Would you limit the power of the water authothority by imposing upon them an obligation to supply, we will say, the East-end of London only with the East London Waterworks water?—No; I can hardly imagine it would be so, because you would defeat your own object if you did that.

4955. Exactly; for instance, taking East London, that green area would be perhaps destroyed; I do not say it would, but it might?—It would go a long way to crippling the action of the new body.

4956. And prevent them carrying out improvements in the method of supply and economy of supply?—Yes.

4957. You have been asked about the control and regulation of the existing water companies by further legislation; the provisions of the Metropolis Water Act of 1852 and of the Metropolis Water Act of 1871 were alluded to in the cross-examination; do you think that any further control and regulation of water companies can offer a final solution of the difficulties?—I hardly think so. I think the time has gone by for that attempt to deal with this subject.

4958. It would be obvious, would it not, that as the conditions of supply altered and the exigencies of the population increased, you would have to come to Parliament for further powers for control and regulation, or might have to do so?—I am afraid that is common to any legislation.

4959. So that I gather that, in your opinion, any further controlling legislation could not be regarded as final?—I do not think it could.

4960. Or satisfactory?—I do not think it could.

4961. With regard to a question which I do not think has been asked you, for I do not want to repeat questions, if the water authority acquire the water undertaking and supply water themselves, do you think they ought to have a monopoly; do you think that, with companies in London, you ought to be allowed to compete with them in their supply?—Certainly not. That I understand to be the ruling of the Committe to commence with.

4962. And with regard to working the companies as a whole, that is to say, unifying the administration and working them all as one undertaking, it would be very difficult in the first

Mr. *Richards*—continued.

instance, to tell what parts of the existing water undertakings you could spare, would it not?—I beg your pardon; "spare," in what sense?

4963. Spare to the local authorities outside?—Undoubtedly. It is a matter that would require a little consideration.

4964. Great consideration and practical experience?—It would.

4965. You do not fall in with the proposal on behalf of the water companies, that the companies should be bought absolutely simultaneously, do you?—I do not.

4966. I am now referring to the board of arbitration?—In your own Bill?

4967. Yes; does it strike you as a reasonable thing that the board of arbitration should deal with the undertakings one after the other?—I think there are advantages in that.

4968. And that the water authorities should have a margin of time which is fixed at two years in the Bill?—So I notice.

4969. For giving notice to the different companies?—Yes.

4970. Not for purchasing; you have not misread the Bill in that respect, have you?—You have to give notice that you intend to purchase within two years, I think.

4971. Now you give notice within two years; of course, it is obvious you can give notice to any company at any part of that period of two years?—Clearly.

4972. Having given notice you would have then a reasonable time, particulars of their scheme having been delivered to you by the companies, to proceed to arbitration?—You would, I presume.

4973. If there were a board of arbitration it would be pretty obvious that they could not proceed except consecutively?—No, they could not do more than one thing at a time.

4974. And therefore a reasonable time for carrying out the purchase of these companies on arbitration terms would be such time as the arbitrators as a board could sit consecutively and assess the value of these undertakings?—That is a limitation clearly.

4975. Do you suggest that the value of the works themselves would not be a proper subject of investigation by the arbitrators?—I have never suggested that. Of course that would be a material part of his duty.

4976. That would be one of the material parts of their duty no doubt: that, of course, is the ordinary duty of an arbitrator?—Yes.

4977. Do you know anything about the Glasgow case?—In the sense of arbitration?

4978. In the sense of purchase?—No, I do not.

4979. Did you hear, I think it was Sir Thomas Farrer or Mr. Cripps, ask a question about the Gorbals Waterworks?—No, I did not.

4980. Do you know at all the condition of the Gorbals Company when it was taken over?—As far as I recollect, it was in a very good condition. The works are still being used by the corporation.

4981. Do you not know that the Gorbals Waterworks were in a bad condition at the time they were purchased?—Oh, no; I think there must be some mistake. There were two companies,

Mr. *Rickards*—continued.

panies, as I explained to the Committee the other day, the Gorbals Company and the Glasgow Waterworks Company, the latter company drawing a supply from the Clyde that was both insufficient and impure on the showing of the company themselves; but I never heard any allegation against the Gorbals Company.

4982. Then I have got it wrong: the corporation in that case bought the other undertaking, did they?—Both undertakings.

7983. And have improved their supply since?—Very largely.

4984. In the case of Manchester, the Corporation first of all bought the existing works, and extended and improved them afterwards?—Yes.

4985. You do not suggest, do you, that the purchase of the London water companies' undertakings would be what I may call a leap in the dark? that they would be buying something that was obviously useless to them?—Oh, no; I suggest nothing of the kind.

4986. I take it you are in favour of assessing the compensation to the water companies by arbitration?—I should rather like the public authority, whoever it may be, to have an opportunity of dealings with the companies to see if amicable arrangements could not be made first.

4987. No doubt; is not that the case under this Bill?—I do not know. When once you include the word "compulsory" in an Act of Parliament, I am afraid you cannot persuade the buyer and seller that it is not going to be so.

4988. Do you think that the water companies would, if the arbitrators are to have the control of costs, as they are under the Bill, rather than accept a reasonable offer, go to the expense of arbitration merely for the love of fighting?—I do not say from the love of fighting; but in the hopes of getting a larger price people very often go into arbitration in an unwarrantable way.

4989. With the terror of costs hanging over their heads?—That does not seem to deter litigants.

4990. One word as to the Kent Waterworks. I suppose you agree with Sir Thomas Farrar that it would be very imprudent of a new water authority to part with any of the existing sources of supply to London?—The existing sources of supply that may be necessary for the supply of London certainly.

4991. The Kent Waterworks undertaking forms a very valuable component part of the sources of supply to London, does it not?—It is one of the eight large sources of supply, no doubt.

4992. And therefore, of course, it would be of importance to London that it should be made available for a source of supply to London?—I should think so.

Re-examined by Mr. *Freeman.*

4993. First of all as regards the matters that were put to you by Mr. Bidder. In relation to the purchase of the companies, you never suggested to the Committee that it is the intention of the council, or that you would advice bringing an alternative scheme and running it in competition with the existing companies?—Certainly not.

Mr. *Freeman*—continued.

4994. You perfectly recognise that these companies must be fairly and properly dealt with?—Certainly.

4995. In this case you have eight large companies to deal with?—Yes.

4996. Which in itself differentiates the case of London from the other cases of towns which have been put to you; because in those cases they had to deal with one or only two companies?—I know of no case larger than two.

4997. And in each case each company was dependent on particular circumstances differing from each other?—Yes, and some of them very complicated circumstances. The question which has been noticed about the New River and their land power and other things which are very wide and different are from the other.

4998. And to take the most important question of all, some of them have a far more extensive supply for future needs than others?—Yes, of course, in estimating the value, it will be alleged on behalf of two of the companies that they have an unlimited supply of water.

4999. And *pro tanto* that they are more valuable than those which have a precarious supply?—They will say so.

5000. It has been put to you that all those cases are matters which an arbitrator will be competent to investigate?—It has been so put to me.

5001. In your opinion, does that question involve considerations which a Committee of Parliament alone is the proper authority to decide?—Undoubtedly. As I tried to recall to one learned gentleman to-day the whole question of future supply, for instance, is bound up with a decision of Parliament as to whether more water is to be taken from the Thames.

5002. Then, in your opinion when Parliament is to decide that question should the purchasing authority be in a position on investigation to lay all the circumstances relating to each company before them?—Yes, I do not think it is a subject you could put before an arbitrator; in fact, I do not think an arbitrator would listen to it without there was something very special.

5003. Can you see any justifiable reason why the companies should object to such inquiries as the county council propose in this case?—No.

5004. Can you see anything unfair to the companies in it?—Nothing whatever; it cannot do them any harm.

5005. Take one case which has been put to you; the Stockton and Middlesborough case. That was a case where the corporation had investigated the affairs of the company and then came with a rival scheme?—Yes, the corporation had proposed to do this themselves. It was not forced on the corpoaation.

5006. Therefore in the Stockton and Middlesborough case, the corporation had done what you ask that the purchasing authority may be able to do in the case of London?—Yes, and they came before the Committee with a scheme of works as well.

5007, And with proposals in relation to the company?—They did.

5008. That scheme was sanctioned and carried out by the Committee to whom the Bills were referred?

Mr. *Freeman*—continued.

referred?—Yes, they sanctioned the works of the company.

5009. So that it is not true to say that the Stockton case is at all a precedent for the corporation coming with an alternative supply, and Parliament putting on them the obligation to buy the company?—No, it is rather the other way if anything.

5010. In your opinion is the Stockton case, if anything, a precedent for what you are asking the Committee to do; to put you in the same position as the Stockton corporation, to be able to negotiate with the companies?—In so far as we are to be put in a position to negotiate, Yes. As regards terms I hope we chall never see terms like those brought about.

5011. Let me ask you this in relation to the Stockton scheme, you used the expression that the bargain there was an improper one; that related to the special circumstances of that case, did it not?—Yes, I did not say that the Stockton case was to govern all other cases.

5012. The observations you were making relating to that case had regard to the very impure sources of supply?—Yes.

5013. And as regards each one of the London companies, each must depend on its own merits and be tried separately?—Of course.

5014. Various details have been put to you by Lord Robert Cecil and by various of my learned friends, as to the detailed circumstances in which the supply of the surrounding districts may be affected, and in some cases handed over, and in others kept. Do all those circumstances strengthen your opinion that before a proper scheme can be laid before Parliament, full inquiry should be held by the authority?—I think so; and I think it is the duty of the authority to come to Parliament with a scheme upon which Parliament should form an opinion; that we should not leave a Committee to be fighting in the air to evolve a scheme for themselves.

5015. In your opinion would anything short of a central authority dealing with the waterworks as a whole be a satisfactory authority?—Certainly not.

5016. The authority which you think is to enforce the taking of water should have the supply in its own hands?—Undoubtedly.

5017. For the purposes of health and the general prosperity of the metropolis?—Yes.

5018. It was put to you by Mr. Pember that amalgamation of the companies might meet the requirements. I dare say you know that that was a matter which was discussed by Sir William Harcourt's Committee and rejected?—So I see.

5019. Therefore it was a matter which was decided before you came into the chair.

Mr. *Lawson.*] Do you mean the Draft Report or the final Report?

Mr. *Freeman.*

5020. The Draft Report, Sir. (To the *Witness.*) In your opinion when a Committee of Parliament have decided upon these broad questions, you will be able to either agree with the companies, or failing agreement, to go to arbitration?—I think so.

5021. I do not understand, in answer to my friend Mr. Rickards, that you at all pin yourself to approving a board of arbitrators whom he has suggested?—No, I did not; it was merely the principle of arbitration, not that particular machinery for carrying it out.

5022. In your opinion when the principles have been laid down by Parliament, would the machinery of the Lands Clauses Act be sufficient to carry them out?—I think so, as far as I am able to judge.

5023. Subject, of course, to having one tribunal to deal with the various matters?—Yes, and I think one tribunal is a very reasonable suggestion.

5024. You were asked by my friend Mr. Worsley Taylor several questions as to how the outside areas should be dealt with; I understand you to say that as far as possible you would prefer to leave their powers in their own hands?—Certainly, it is always better to do so.

5025. Of course, if in the case of London any similar case arose to those small places near Bradford which asked you to supply them, and you did supply them, then a question of rating would have to be considered?—It would.

5026. That would be a matter to be adjusted in the same way as was done there?—Yes; under the general Act for charging inside; that you do not charge the people outside a greater sum than you do inside.

5027. And of course, if the outside authorities were supplied in detail, then the question of water rent would be one they would have to settle?—Yes; I do not know whether it would be the same in London, but I assume it would be. The water rents to be charged in the outer districts are to be charged on the same scale as is proposed to be charged in the inner districts.

5028. And of course over that the water authority would necessarily have control?—Of course.

5029. That, from your experience of Bradford is a detail which you do not anticipate any difficulty in dealing with here?—I do not.

5030. You gave evidence at considerable length the other day, and I do not wish to occupy time by repeating any of it; has anything which has been put to you in cross-examination in this room shaken the lines of the evidence you then gave, that time should be given for inquiries, and a proper authority constituted to carry them out?—No; the more I look at it, and the more I think of it, I think more time is required.

Mr. *Lawson.*

5031. Do I understand, as engineer to the London county council, apart from any question of statutory right, you say it is practically, if not absolutely, impossible to introduce a competitive supply into an area supplied by the existing companies?—As a matter of pure engineering you can introduce it: as a matter of administration and finance I think it would be a suicidal act to do.

Mr. *Murdoch.*

5032. Have you formed any idea as to how long this investigation would take?—In reply to an honourable Member, I think I said the other day I thought a body should be able to introduce a Bill the Session after next.

5033. That

Mr. *Murdoch*—continued.

5033. That is assuming the authority was constituted this Session?—Yes.

5034. This investigation would be an investigation by the new authority to which the water companies would be no parties?—It would be an investigation by the new authority, but to which I am sure the water authorities, as on previous occasions, would be invited to lend their aid.

5035. Invited to lend their aid in order that you may acquire knowledge as to their undertakings?—Not only a knowledge of their undertakings from an engineering point of view, but that knowledge that comes of association which sometimes leads to agreement. I am sure that the companies are under a misapprehension there. The corporation and the county council are only too anxious to come to terms with the companies.

5036. Suppose the companies refuse to take part in the investigation?—We should have no alternative but to come to Parliament and present a scheme to Parliament for its decision.

5037. Then that would delay it for another year?—It would I am afraid.

Mr. *Bolton.*

5038. Do you suggest that this new authority should have any power to compel the companies to give information?—I do not know whether the Committee could enforce that.

5039. Do you suggest that?—I should like to see it done very much, indeed, because I think it would lead to a solution of the difficulty, but at the same time I do not see the mode in which it is to be done very well.

Sir *Henry Roscoe.*

5040. Do you propose that this body as proposed to be constituted is to appoint arbitrators; by whom are the arbitrators to be appointed?—I should understand the arbitrators as coming in at a future time when this body which we assume is constituted, brings up a definite scheme for the whole water supply of London. Then it would be time for them to name the mode of arbitration which would be required.

5041. Is that to be done by the body or by Parliament?—It would come and ask Parliament to sanction the arrangement which they had partially carried out.

Mr. *Bristowe.*

5042. With regard to the Stockton and Middlesborough compulsory purchase, which you consider iniquitous, that was based upon their maximum dividend, if I recollect right?—I think it was.

5043. Do you know whether they were earning them at that time?—I do not know. I do not know their financial position at that time at all.

5044. You do not know whether at the time they were bought at the maximum dividends they were earning that dividend?—I do not.

Mr. *Bristowe*—continued.

5045. Do you agree with Mr. Grover?' You were talking about the navigation of the Thames generally as arranged by the Thames Conservancy as being undesirable with regard to the water supply of London. Mr. Grover said in his evidence that a considerable amount of sewage, if it ran two or three miles down a stream, and went over a weir, really lost all its bad effects, that is to say the water was virtually pure; I understood you to say the more navigation there was in the upper Thames the worse the water was; I want to know if you think a good deal of that drainage is not avoided by the weirs?—I cannot go quite so far as Mr. Grover goes. It is an indisputable fact that contaminating matter flowing down a river does get purified in time.

Mr. *Lawson.*

5046. By aeration?—By aeration.

Mr. *Bristowe.*] You do not go so far as Mr. Grover in saying that in going over a weir, the weir had a purifying effect on the water?—I do not go so far as that.

Mr. *Bolton.*

5047. The evidence was that in a very short space the water got purified, and especially if it went over a weir?—Yes.

Sir *Henry Roscoe.*

5048. That is a question on which there is a difference of opinion among authorities, is it not?—Oh, yes.

5049. You do not feel able to give us very definite information on that subject?—No, I could not attempt to.

Mr. *F. W. Pember.*] I propose to ask Dr. Frankland first some general questions as to whether it is just or equitable at present to force on the proposed authority the obligation to purchase the companies immediately without previously inquiring into the prospects of future supply, the condition of their works, and so on.

Chairman.] Any general questions of that sort you will be entitled to ask, but the Committee cannot go into the question of examination of the quality of the water.

Mr. *Rigge.*] I should venture to say, on behalf of the water companies, if we are not to go into this question it is somewhat unfair on them to ask these questions of Dr. Frankland, who is a chemist.

Chairman.] If his evidence was to the effect that the water was bad I should say you were right; but that is not what I understand Dr. Frankland is to be asked. He is to be asked general questions as to the policy of purchasing. Anything which leads to a reply from any of the water companies would be proper at another time.

Dr. FRANKLAND, sworn; and Examined:

Mr. *F. W. Pember.*

5050. You have considered this question of whether it is expedient or just to force upon the authority the obligation of immediately purchasing the water companies, or any of them, without previously inquiring into their condition, have you not?—I have thought a good deal about it of late.

5051. In your opinion is it expedient, or just, or equitable, to force that upon them?—I do not think so; I think the condition of those companies' works, and the nature of the supply, quite independent of quality or quantity, ought to be carefully investigated before such an important bargain as this is made.

5052. It is the fact, is it not, that the circumstances of each company in the direction in which you have indicated are entirely different among themselves?—Entirely different. For instance, the New River Company has a supply which differs in many respects from other companies. The Kent Company again is quite apart in the source of its supply from the remaining seven companies, and there are great differences amongst the other companies which ought to be carefully considered, I think, before any just estimate of the value of their property can be arrived at.

5053. In fact, speaking generally, it would be necessary would it not to have a separate investigation in the case of each company?—I think so.

5054. At the same time each company, on the question of purchase of each company, is a component part of any scheme for handing over the water supply of London to the public authority?—Yes; I presume that all the companies would at all events eventually have to be purchased, and therefore the case of each company would require to be considered.

Mr. *Freeman.*] I have had an opportunity of looking through the evidence of Dr. Frankland and I am bound to say I find the majority of it goes directly to the question of quality, and therefore I feel it is only fair to the Committee that we should not pursue the subject in detail. Dr. Frankland has given you his general conclusion. That conclusion, according to his proof, would be supported mainly on the question of quality.

Mr. *Rickards.*] My learned friend has got what he wants.

Mr. *Bidder.*] I do not understand. Dr. Franklin is an expert on the principles of legislation or water valuation. The one point we know him as a great expert in, is quality of water, and if it is not for that he is here, I do not know why he is here.

Chairman.] Do not you cross-examine him?

Mr. *Bidder.*] Yes, I must cross-examine him about what he has said.

Cross-examined by Mr. *Bidder.*

5055. You have gone beyond your last a little, Dr. Frankland, have you not? You have been good enough to say that it is of great importance there should be an investigation into the quality of waterworks before a purchase is made?—Yes, I think so; I do not think there would be any difference of opinion as to that; you want to know the quality of an article before you buy it.

5056. Put in that broad way, it is true; but I assure you there is the greatest difference of opinion as to whether it has any application in this case?—I cannot go into the ground of my opinion, of course.

5057. Do you want, for instance, to investigate the quality of the water supplied by any water company, in order to determine whether you will buy it or not?—Certainly.

5058. That is to say, if you found the quality was not up to a certain standard you would propose not to buy that company?—I would not go so far as that, but I would propose not to give so much for it.

5059. Let us go back. There is a water authority which desires to get the supply of the metropolis into its own hands. Is it necessary to investigate the quality of the supply of any particular company in order to be able to decide whether you would buy that undertaking or not?—That is a very difficult question to answer offhand; I do not know what you mean by buying it. Certainly you can buy it at a price; but the price would depend on the quality of the article.

5060. I said nothing about price; is it not clear to your mind (it was to Mr. Binnie's this morning) that if the London county council or a water trust, however constituted, has to become the water authority for the whole of the metropolis, it must acquire the undertakings of the whole of the existing companies?—I quite agree, I think it ought.

5061. Then, if you please, is it not clear that you do not want an investigation as to quality in order to determine whether you will buy or will not buy?—I quite agree with you there.

5062. It is obvious you must buy?—You must buy if you want the control.

5063. You want the control, and therefore you must buy; now you say very properly both quality and quantity are questions which become very material in fixing the price?—Certainly.

5064. Then is the time to go into them, is it not, when you come to fix a price?—Yes; I think that probably would be the best time.

5065. Therefore you and I have arrived at this conclusion, that you want no Parliamentary inquiry in order to make up your minds to buy; but when you have given notice and determine to buy, then you must go carefully into the whole question in settling the price?—Yes; I think that is reasonable.

Mr.

Mr. *Freeman.*] In answer, Sir, to a question you were good enough to put we were expecting Dr. Frankland's evidence would have taken a a good deal longer than it has, and although we have other witnesses, I am sorry to say they are not here.

Chairman.] You might have known the Committee were not prepared to go into the subject of the quality of water.

Mr. *Freeman.*] I was under the impression the witnesses would be here.

Chairman.] Perhaps you can tell us who they are, so that we may get an inkling of what you propose to do.

Mr. *Freeman.*] The two witnesses I had expected to be here were Mr. Hill and Mr. Deacon, who would have spoken of similar cases of where the central authority has been able to deal with large bodies at Liverpool and Manchester.

Chairman.] I think that would be evidence the Committee would like to hear.

Mr. *Freeman.*] I was under the full impression they would be here, but circumstances over which I have no control prevent me calling them. I am very sorry they are not here.

Chairman.] Will they be here to-morrow morning?

Mr. *Freeman.*] Yes, certainly.

Chariman.] Is that all the evidence you propose to call.

Mr. *Freeman.*] There is some evidence we propose to lay before the Committee if they consider it relevant as to reservoirs in the upper Thames.

Mr. *Bidder.*] That is a question of quantity and supply in another form.

Chairman.] I do not think we will take that evidence. I do not think we could take any evidence as to reservoirs up the Thames; that is a large inquiry.

Mr. *Bidder.*] And I presume your ruling would extend to all questions such as actual pollution of the Thames?

Chairman.] Yes, you must exclude all questions as to quality and quantity. The Committee have already said they feel it impossible at this period of the Session for them under any circumstances, or possibly at any other time, to go into the huge and exhaustive question of whether there ought to be an alternative supply or a fresh supply, and how far the quality and quantity is sufficient. Therefore it is very important not to touch the fringe of a question which would call for rebutting evidence on the part of the companies.

Mr. *Freeman.* If I might be allowed to ask for a direction, which practically it comes to, I should like to do so. We have certain evidence, which we shall be prepared to lay before the Committee, in support of the proposal, or rather as to the constitution of the authority; that it should be the Committee which has been proposed to the council and corporation without representation of the outside authorities upon it.

Chairman.] That is rather trying to prove a negative, is it not?

Mr *Freeman.*] You see, Sir, I am petitioning against my friends' Bill, into which I have been rather surreptitiously introduced. I am in rather a difficult position; in fact, I have scarcely known a more difficult case.

Chairman.] The Committee fully feel the difficulties of the position.

Mr. *Freeman.*] I am venturing to ask rather for a direction, so that I may shorten the labours of the Committee.

Chairman.] If you bring forward the cases you refer to as examples in which large municipal authorities have purchased outside areas, you have by implication dealt with outside areas, and I presume the authorities who have been cross-examining to-day would, on their side, bring forward evidence, or make statements to lead us to take a view that they ought to be represented on such a point before the Committee. I do not exactly see what evidence you can bring as against such a representation.

Mr. *Freeman.*] It is evidence which would be rather in the nature of argument; I am aware of that.

Chairman.] Would not you be able to argue the case after the representatives of the outside authorities whom we are bound to hear on the subject, have made what case they could in favour of representation. It strikes me you would not find it necessary but I leave it to consider.

Mr. *Freeman.*] Perhaps you will be good enough to leave it in this way that we will call these two engineers to-morrow. I shall, have an opportunity of considering the observations you have been good enough to make, and the probability is in the morning we shall be able materially to shorten the evidence. We will do our utmost to make it short.

Chairman.] The evidence you suggest will not probably take very long.

Mr. *Freeman.*] No, Sir.

Chairman.] What will then be the course of proceeding supposing you call no other evidence. The water companies want to be last I understand. I rather agreed to Mr. Pember's suggestion that, under the circumstances, they might have the last word.

Mr. *Bidder.*] I take it under those circumstances, after my friend has concluded, that as to any outside authorities who desire to be heard, then would be the proper time for them to present their views to the Committee.

Chairman.] I think so; and I hope the representatives of the outside authorities will be ready to take that line to-morrow if necessary.

Mr. *Bidder.*] And, of course, now would be the time if the Corporation desired to submit anything independently.

Chairman.] Yes.

Mr. *Freeman.*] Then I understand the course will be this: that we should call our two witnesses, and, if necessary, any other witnesses; that then the Corporation and then the outside authorities should be heard, and, if necessary, we should have an opportunity of addressing the Committee.

Chairman.] Then would come the water companies.

Mr. *Freeman.*] Then, I suppose, my friend, who is still nominally the promoter, will wind up.

Mr. *Giles.*] Would it not be convenient for the Conservators of the River Thames to call their evidence before the outside authorities. I think we should like to know what their evidence would be.

Chairman.] The Committee would like to know on what point the Thames Conservancy desire to give evidence.

Mr. *Bidder.*] I should think that the quantity and quality of water supply being excluded from the discussion, the Conservators would not want to say much.

Chairman.] I should doubt if the Conservators would want to establish any case. There is nothing to reply to.

Mr. *Bankes.*] We are prepared with evidence, if the Committee thought it necessary.

Mr. *Bidder.*] The question is assuming quantity and quality; are neither of them to be gone into; do you wish on behalf of the Conservators to present any evidence to the Committee?

Mr. *Bankes.*] I do not think we should.

Mr. *Giles.*] Would the Committee leave it in this way, that if the Conservators are advised it should be necessary to call evidence, they should call that evidence before the outside authorities.

Chairman.] I do not see why it should be so.

Mr. *Bidder.*] I should think the City should be heard first, then the outside authorities, and the Conservators of the Thames, if they wish under the circumstances, to be heard, and then lastly the water companies.

Chairman.] I think the Conservators would come naturally in advance of the water companies. I do not see kow you will be prejudiced, Mr. Giles. I do not see that the Conservators of the Thames have really any reason to bring any evidence against what has been said.

Mr. *Giles.*] It is only the question of an additional supply of water from the Thames which would affect us, Sir.

Chairman.] But the Committee are not going to express an opinion upon that. It is impossible that they should.

Wednesday, 17th June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.	Mr. Murdoch.
Sir Algernon Borthwick.	Sir Matthew White Ridley.
Mr. Bristowe.	Sir Henry Roscoe.
M. Lawson.	Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. GEORGE HENRY HILL, sworn; and Examined.

Mr. *Freeman.*

5066. YOU have had many years experience as an engineer have you not; your attention particularly having been directed to the supply of water to the large towns of England?—Yes.

5067. Your attention has been particularly directed, has it not, to the case of Manchester, where you have been responsible for the large scheme of Thirlmere water being brought there?—That is so. I am the engineer of the corporation, and I am at the present time carrying out the large scheme which is to take the water from Thirlmere, one of the Cumberland lakes, to Manchester, a distance of 96 miles.

5068. You have had considerable experience, particularly in Manchester and elsewhere, in the management of waterworks for corporations?—Yes; I know the general system.

5069. I believe you have had considerable experience in the case of Glasgow, have you not?—Yes; I started in 1853 with an examination into the country round Glasgow, before Loch Katrine was fixed on as the source of supply, and eventually the corporation took over the two companies which supplied Glasgow; the Corbals Company, which supplied the south side of the river, and the Glasgow Waterworks Company, which obtained its water from the River Clyde on the north, and when the corporation took over the water supply they took over these two companies.

5070. I think your experience has also extended to Newcastle, Oldham, Halifax, Dewsbury, Batley, Stockport, Blackburn, and many of the other towns in the north?—Yes.

5071. I think the most convenient plan will be to concentrate your mind for the present on the case of Manchester. First of all as regards Manchester, not only the corporation supplies the town of Manchester, itself but also a considerable number of adjacent districts, does it not?—It does; it supplies a very large population outside.

5072. How is that supply given?—It is given in bulk in some cases and in detail in others.

5073. Who is the responsible authority for managing that supply?—The corporation of Manchester.

Mr. *Freeman*—continued.

5074. Is there a representation upon that corporation of any of the outside authorities?—No.

5075. Do you find that that way of conducting the waterworks answers without friction?—There is no difficulty whatever about it. We have no trouble or friction whatever with the outside authorities. The waterworks committee of the Manchester Corporation manage the whole business.

5076. And I believe in those cases the central authority does not interfere with the outside authorities in the matter of rating?—No.

5077. They are entirely independent?—Yes.

5078. Simply receiving the supply in bulk from the corporation?—Yes. Of course they supply in detail as well as in bulk.

5079. You are aware, are you not, that it is proposed by the county council and the Corporation of London that they should form a statutory committee to require the water companies to deal with the water supply and to manage the water supply of the metropolis?—I am.

5080. In your opinion would that he a good and satisfactory way so to deal with it?—I should think the London county council united with the Corporation of London would make a very good body indeed to manage the water supply.

5081. Do you consider that in the case of the metropolis, representation on the governing body of outside authorities would be necessary?—My view would be to limit the representation to the county council and the Corporation of London.

5082. Do you see any reason why the same machinery which has answered so well in Manchester would not equally answer in the case of the metropolis?—No, I do not.

5083. That is to say that the questions with regard to outside authorities can be left to be dealt with by those authorities, and the supply of the metropolis left in the hands of a responsible committee?—Yes, that is so.

5084. In your opinion would that independent management of their own affairs by the outside authorities be preferable to the small representation they would have on the central authority, if

Mr. *Freeman*—continued.

represented at all?—Yes; the water would be supplied to them in bulk, and they could manage then the water supply just as they liked themselves.

5085. We have been told that the matter is a very large one with regard to the metropolis; but you yourselves in the case of Manchester deal with large figures, do you not?—Yes, we supply about 950,000 people, and the outlay in the Longendale works was 3,100,000, and the total outlay on the Thirlmere works will be about three millions and a-half. They are very large figures.

5086. I believe, taking the year 1889, you were supplying in the city about 500,000 persons, about 265,000 in townships beyond the city, and about 200,000 in bulk to public authorities?—Yes; about 950,000 or 960,000 people in all.

5087. In that case you were supplying at about the rate of 23 gallons per head, were you not?—Yes; about one-third of the whole supply goes for manufacturing purposes.

5088. I believe you find some of your sources in those outside districts themselves; is that so?—I do not quite understand what you mean.

5089. In those districts there are a considerable number of rivers and streams, are there not, from which water is obtained?—That is so. In Manchester itself there are the rivers Irwell, the Irk, and the Medlock running through the city, and the banks of those streams are lined with manufactories, so that they do not take water from the corporation; they find it independently.

5090. And you find no difficulty in those outside persons taking water for manufacturing purposes independently of what you supply them, do you?—No; there are also wells in the new red sandstone, in Manchester; a great many.

5091. I think it was about the year 1877 that you found your supply was deficient, and on the advice of Mr. Bateman you went for the Thirlmere scheme?—Yes; it is 14 years this month since instructions were given to proceed with the Thirlmere scheme, and we expect to bring the water from Thirlmere into Manchester next year, so that it will have taken something like 15 years to bring the water in.

5092. And it is a matter of general knowledge, is it not, that the Thirlmere scheme passing through the districts of many authorities, you had to make arrangements for giving them a supply on the way?—Yes, that was a clause put in the Bill as it was proceeding through Parliament.

5093. So that the Thirlmere scheme involved questions of very great complication with regard to the outside districts?—Yes, it did.

5094. And notwithstanding those complications the whole management has been in the hands of the corporation, and successfully worked?—Yes; the corporation, of course, have the gas as well in Manchester; they manage the gas as well, which is a large undertaking, but there is no difficulty whatever about it.

5095. Those works are now nearly completed, are they not, and you hope soon to have the water into Manchester?—Next year.

5096. As the engineer, you have been responsible for such difficulties as did arise in connection with that scheme, and with the general supply of Manchester, have you not?—Yes.

5097. Do you see any engineering difficulties in treating the districts round the metropolis in the same manner as has been done at Manchester?—No, I do not; it is a question of magnitude, but applying the same principle I think it would work out very well in London.

5098. Do you agree with the evidence which has been given by Mr. Binnie, the engineer of the London county council, that the lie of the land and the general configuration is such that he anticipates no particular difficulties?—I do not think there will be any difficulty.

5099. You have had of course considerable experience in Manchester of the corporation having to deal with a future supply in the case of Thirlmere?—Yes.

5100. In you opinion is a large corporation the best body from a financial point of view to deal with those large schemes; better than a series of companies?—Oh, certainly. I think it is a mistake this thing was not done in London 25 years ago.

5101. You think a central authority can raise money better and deal with the whole question more economically to the ratepayers?—Yes.

5102. Now I want to ask you about another matter; you are thoroughly acquainted with the way in which London is supplied at the present time by the eight water companies, are you not?—Yes, I know generally.

5103. I suppose you will agree with the county council that if there is to be a central authority to deal with the whole supply of London those companies must be taken over?—Yes, I think it is only right.

5104. Do you consider that the central authority, whatever it may be, is in a position at the present time without further inquiry to take those companies over?—No, I think there should be an inquiry into the whole question.

5105. And do you think that such an inquiry is requisite in order that justice may be done as between the vendors and the purchaser?—Yes.

5106. Both in the interests of the companies and of the central authority?—Certainly. I think it will be as much to the interest of one as to the other.

5107. Can you see how any hardship or injustice could be done to the companies by an authority being constituted with power to make such an inquiry?—No, I do not see any. I think the companies ought to be fairly dealt with. They have done the work up to the present time, and that ought to be taken into account.

5108. I do not wish to re-duplicate the evidence which was given at considerable length by Mr. Binnie, but do you consider that there are questions of so great magnitude affecting all those companies that Parliament alone can decide them, and not an ordinary arbitrator, and that there should be inquiry?—There should be a general inquiry no doubt.

5109. And that it is not a case to be sent direct to an arbitrator without an inquiry?—I do not think so. I think there ought to be an inquiry in the first instance.

5110. Parliament

Mr. *Murdoch.*

5110. Parliament can alone decide what; the price?——

Mr. *Freeman.*

5111. No, Sir; such questions as were indicated the other day as to how far thes companies would be able to supplement their existing sources by future supplies; questions which the arbitrator could not take into consideration because the other side would immediately object that these questions were not before him. (To the *Witness.*) I do not wish to lead you, but those are the considerations, are they not, which you have in your mind when you say that you consider full inquiry by the responsible authority should take place, and that then the matter in the form of a definite Bill should be brought before a Committee of Parliament?—I do not see how you can deal with it without an inquiry myself.

5112. Do you think an opportunity should be given to the central authority for negotiation with the companies with the view of coming to terms?—Certainly. If they can come to agreement to take over the works, of course it would do away with the necessity of having an arbitration.

5113. So that what has been done in so many other cases of corporations might be done in this case, that if possible an arrangement should be come to, and then Parliament asked to sanction it?—That is so.

Cross-examined by Mr. *Cripps.*

5114. Let me follow out what you were saying; I understand your view to be that the existing waterworks should in the first instance be purchased?—No; I say an inquiry is the first step.

5115. I will deal with the question of inquiry presently; whether with an inquiry or without an inquiry, the first step in procedure, if power is to be given to the local or statutory authority, is the purchase of the existing water companies, is it not?—Yes; they ought to have power to purchase them.

5116. I will deal with the qaestion of inquiry in a minute; but the first practical step in your opinion after an inquiry, as you put it, is the purchase of the existing companies, is it not?—Yes, and endeavour to make arrangements with them.

5117. That is, of course, an incident; I understand you further to say that, in your opinion, the only fair method of procedure is to purchase the companies in the first instance?—I think the companies ought to be purchased; the whole of them.

5118. And that that ought to be the first practical step; the first practical step, when you are dealing with this question, is the purchase of all the existing companies, is it not?—Something might arise out of the inquiry, perhaps, as to future sources, and that would have to be taken into account.

5119. No doubt that might be taken into account; but let me get this: the first step after inquiry is to be the purchase of all the existing companies?—Yes; if the circumstances of the inquiry did not lead to a different conclusion.

Mr. *Cripps*—continued.

5120. You put it in that way; let me ask you what you mean by this inquiry; was there any inquiry in the case of Manchester?—I think they came to an arrangement, and of course in this case, after an inquiry, the county council or the public authority could make arrangements with the companies to take them over, if they could manage it in that way.

5121. Do you know of any case in your experience (which you say has been very wide as regards local authorities) of a power being given merely to make inquiry apart from arrangement which any public authority might make with water companies?—It is the magnitude of this case which causes the difference.

5122. Will you answer my question?—No, I do not know of any case; there was no necessity.

5123. Let me put another quession to you in order that we may get it clear. You do not know of any case, do you, where the local authority has been allowed to introduce anything like a competitive supply?—No, not in the case of an authority. Of course we know of competitive companies.

5124. Let me put this further to you. As I gather, in your opinion it would not be fair towards the companies to allow a local authority to introduce competitive supply?—No, I do not think it would.

5125. Taking those two bases, that there should be no competitive supply, and that purchase should precede any other step, what do you mean about this inquiry; I do not quite understand it?—The inquiry should be into all the circumstances. You asked me the question as to a new supply or a competitive supply being brought in. The first thing is to clear the ground by an inquiry, and see exactly how the matter stands.

5126. Let us follow your own argument logically as between the local authority and the water companies. There is to be no competition. That, in your opinion, is unfair?—Yes.

5127. The first step is to be the purchase of the existing companies?—Yes.

5128. What do you mean by the preliminary inquiry, as you call it?—To see the state of the companies, and their means of supplying the water required for the future.

5129. But what does that matter, taking your two principles of no competition and purchase first. Taking those as first principles, what becomes of the preliminary inquiry. Of course they would be only taken on fair terms?—The terms would depend on what information is obtained in the preliminary inquiry.

5130. But the price will not be fixed by preliminary inquiry; that will be fixed by an arbitration, or something of that kind?—Of course, but then the information would be ready for the arbitrator, or for the authority to determine.

5131. But you know perfectly well when the question comes before the arbitrator, the arbitrator will have to decide on the evidence before him?—Exactly, and a good deal of that will be obtained on the inquiry.

5132. Let me put it again. Taking your two premises, no competition, because that is unfair, and purchase must precede any other arrangement; I still do not follow what the preliminary

Mr. *Cripps*—continued.

inquiry is to be?—Well, you would obtain all the information. I think there is a great deal of information required before you come to the question of purchase.

5133. But that information would be obtained, and would be set out before an arbitrator, would it not?—Yes; but you want the general question inquired into at the inquiry. It is not a question of just one company or the other company. The general question wants going into.

5134. But you are not going into the question of competition, and purchase has to come first?—Yes.

5135. Surely the only two steps are, first of all, to give a power to purchase, and then that a properly constituted board should fix the price?—There is the question of what the inquiry might reveal; we do not know that.

5136. Excuse me, as regards giving an expensive inquiry of that kind, all necessary information would be revealed before the constituted body, whatever it might be, which would fix the price?—I believe it would be done better by a general inquiry into the whole circumstances of the water supply.

5137. I could understand general inquiry, if you took the view that you were to have competition, or were not to be obliged to purchase; but, assuming your two premises, surely the only other matter is the price which should be fixed before an arbitrator?—No; I say an inquiry must precede everything.

5139. Then, if I understand you, inquiry must precede any Bill of any sort or kind?—Yes; that is my opinion.

5138. Then as to any discussion here, you say inquiry must precede it altogether?—No; I say you want to constitute an authority first, and having constituted an authority to act, the inquiry would follow.

5140. You mean what we have called here the statutory authority?—Yes.

5141. Now let me ask you as to another matter; you have said that, financially, these matters could be better dealt with by a statutory or other authority than by a company?—Yes.

5142. Have you any figures upon which you base that view?—No; but they can borrow the money much cheaper.

5143. Let me put this to you: it applies to your own case at Manchester. The East London Company supplies a quantity per annum, about twice that supplied by Manchester, and I see, comparing income with quantity supplied, that we supply it at 4·1 *d.* per thousand gallons, whereas Manchester supplies it at 7 *d.* That would not show the corporation were financially more successful, would it?—That is a very different thing altogether.

5144. Why?—Because you have rivers here to pump out of; you pay no compensation; you have no huge works to construct. In the Glasgow case they have to pay 40,000,000 gallons a day compensation before they are allowed to take a drop themselves.

5145. I still do not follow it. I do not know whether you have any figures, but why do you say that financially the corporate body can deal with it more economically?—They can borrow the money more economically.

Mr. *Cripps*—continued.

5146. What are you borrowing the money at in Manchester?—About 3¼ per cent., and some as low as 3.

5147. Do you know on what terms the water companies can borrow it?—I should think at nothing less than 3½.

5148. Do you know?—I do not know.

5149. In giving your opinion as regards the difference in the financial success of the two bodies, have you considered at all what the financial position is of any of the London water companies?—No, I have not; all that will come out at the inquiry.

5150. Do you know what powers are proposed to be given for what you call the purposes of inquiry?—No.

5151. Yo know nothing of it?—No, I do not.

Cross-examined by Mr. *Giles*.

5152. When was the Act which authorised the corporation of Manchester to take over the waterworks passed?—I think it was 1846 or 1847.

5153. How long does your connection with the waterworks as engineer go back?—As assistant and as partner with Mr. Bateman, and as engineer for the corporation at the present time, it extends from 1846 to the present time.

5154. Then you remember the time when it was taken over by the corporation?—Certainly.

5155. At that time were there many outside authorities taking water from the same waterworks?—I cannot tell you that. It was the Manchester and Salford Waterworks Company. Salford was one of the authorities taking water, and when Manchester took the waterworks over it made an arrangement to supply Salford in bulk. That would be an authority outside of Manchester.

5156. Then the Salford corporation were an outside authority at the time the Waterworks Company were taken over by the corporation of Manchester?—It was called the Manchester and Salford Waterworks Company, but the whole enterprise was taken over by Manchester.

5157. In the negociations which took place with respect to the company being taken over, I imagine that Salford had a voice?—No, I do not think so.

5158. Will you say they did not?—No. I cannot say that, but I do not think they had any voice in it.

5159. Your recollection will not permit you to say one way or the other?—No; but I do not think they had.

5160. There would be nothing unreasonable in expecting that Salford corporation, having their water from that company at that time, should be admitted to the negociations which took place, would there?—I do not see any necessity for it whatever, because Salford was not going to contribute the money. Manchester was going to buy the company up.

5161. Do you say Salford were not interested in it at all?—No, beyond this; that as the company supplied Salford with water they had to see when the Manchester corporation took over the waterworks company that they obtained a supply of water in bulk.

5162. Then

Mr. *Giles*—continued.

5162. Then yon said beyond that, you do not think they were interested at all?—I do not think they were.

5163. I think I can suggest a way in which they were; can you tell me in which Act the treatment of the outside areas was proposed; was it in the Manchester Corporation Waterworks Act?—No, I cannot tell you. I fancy it will be stated in one of the Acts. The district of supply would be formed in 1847, but I do not remember.

5164. Was there any provision in any Statute protecting the interests of the outside authorities?—I do not know; I cannot tell you that.

5165. You cannot tell me that?—No, I cannot tell you that.

5166. You said just now that the supply from Thirlmere to Manchester was not quite completed, I think?—Yes.

5167. And also that some difficulty arose in the negotiations with the outside authorities on the line of the aqueduct not within Manchester itself?—Manchester itself went for the Thirlmere Bill, but in the progress of the Bill through Parliament the authorities along the line of the aqueduct, which is 96 miles long, applied to have supplies of water given from the aqueduct, and the Committee put in a clause to that effect, granting power upon certain terms stated in the Bill to those authorities to take a supply of water from the aqueduct. It was in consequence of that; when the Bill came to the other House it was found to be contrary to the Standing Orders, because the Bill was started for a supply to the City of Manchester, but the clause really made it a supply to all the country between Thirlmere and Manchester, so that the notices did not cover it.

5168. What that all comes to, as far as I am concerned, is this, at what price was water supplied in bulk before the Thirlmere scheme was adopted?—It was supplied at various prices. I fancy the highest price is about 9 *d.* a thousand gallons.

5169. Is that regulated by Statute, or is it the subject of contract in each case?—I think it is the subject of contract.

5170. Was any alteration made in the price of water to the outside areas to meet the cost of the Thirlmere scheme?—No, not that I know of.

5171. You are sure of that?—I think I may say I am pretty sure of that.

5172. I understood you to say that the chief advantage arising from the municipal authority having control of the water supply is, because they are in a good position to raise the money?—Yes, and besides that, you could scarcely conceive a private company as in the case of Manchester ——

5173. I accept your answer. But this is rather an explanation. We have spent more than three millions of money in the existing works which now give the supply. You can scarcely conceive a private company, if it had the supply, giving and spending another three and a-half millions when nearly all the people are supplied. They would have to provide the interest for the new supply, and it would be rather a serious thing for a private company to do.

5174. Is there any other fundamental reason why the control should be in the hands of a municipal authority, in your opinion?—I think it is better in every respect.

5175. Do you think it is better that they should have the control?—Yes. The water supply there is no doubt ought to be in the hands of a public authority; it ought not to be in the hands of a company looking for dividends.

5176. Can you give any particular reason why the inquiry can be more conveniently and better conducted by a municipal authority than any other authority?—Parliament might appoint an authority to inquire into the water supply of London, the whole system.

5177. An authority which could properly undertake such an inquiry?—Yes. There should be an exhaustive inquiry before anything is done.

Cross-examined by Mr. *Richards*.

5178. I want to ask you one or two questions about Manchester; the corporation there, according to the London county council's printed table, supply in detail in some of the outside districts?—Yes.

5179. And in bulk to others?—Yes.

5180. In no case do the local authorities outside supply themselves entirely independently of the corporation, do they?—No, they could not very well do that. That is the great advantage of having a central authority. If all these little places surrounding Manchester had to go for their independent supply of water the outlay would be enormous; they would not get it at anything like the price they get it at now.

5181. Do you suggest in the case of London that the water authority inside should continue to supply in detail or bulk to the districts outside?—That would be a question of arrangement when the water is taken over.

5182. You have said that the circumstances of the London district are practically the circumstances of the Manchester district?—Yes.

5183. I ask you upon that, which do you think would take place and properly take place; if the water authority acquired the undertakings of the companies, would the London water authority continue to supply in detail, or would they supply in bulk, or could they simply sever themselves from the outside authorities and let the outside authorities supply themselves; which would it be?—That would be a question of arrangement; all that would come out at the inquiry.

5184. A great deal must come out at that inquiry?—There is a great deal to come out.

5185. There are 70 years of inquiry here, you know, from 1810 down to the present time?—I hope they may come to a point, and make up their minds in one way or the other, whether to give it up entirely or not. If the London people here had followed the people in the north, they would have had the water supply years ago, and all these difficulties would not have arisen.

5186. You do not think a public inquiry could go into the question of compensation to the water companies, do you?—No, I do not think it would inquire into all the circumstances; then would follow the arrangements with the water companies after the inquiry.

Mr. *Rickards*—continued.

5187. General answers are very safe, and they take so long dissecting, that it is really hard on the Committee to try and dissect them; but you think that something would come out of the inquiry made by the London county council that could not have been extracted during the inquiries before the Royal Commissions and other bodies in the past, do you?—We are 20 years since the Duke of Richmond's Commission in 1869.

5188. But what fresh facts are there that have come to light of importance?—I cannot tell you. You ask me now for details of what may come out of the inquiry; it is impossible for me to tell you that.

5189. I am not asking you that question, if you will kindly wait; I will repeat my question: What facts have come out, or what new circumstances have arisen perhaps since 1880 that will render a future inquiry by the London county council more searching and efficacious than the inquiries which have taken place between 1810 and the present date?—I cannot answer that question, I cannot tell you.

5190. As regards history, you agree with me, do you not, that the order in which coraorations have dealt with water companies is purchase first, and extension and improvement afterwards?—The purchase has generally gone on at the time the extensions have been going on.

5191. Of course yon are aware that the Bill proposes in the first instance agreement, and failing agreement, compulsory purchase on arbitration terms. You know enough about the Bill for that, do you not?—I do not know that it says compulsory purchase. I understand the Bill was one for taking power to purchase the companies but that there was no compulsion.

5192. Then we have not exactly common ground to stand upon, and it is hardly worth going to such a first principle of the Bill, if you will allow me to say so, as that. Now with regard to arbitration, you submit that an arrangement should be come to between the companies and the water authority first, and that Parliament should be asked to sanction it afterwards. Is that your submission?—Yes, that has generally been done.

5193. Supposing Parliament does not approve of the terms in the Bill, what happens then?—I cannot tell you that.

5194. The Bill is rejected, is it not?—Very likely.

5195. Supposing they take the other alternative, and instead of rejecting the Bill try to re-arrange the terms of agreement as to compensation contained in the Bill itself, do you think Parliament could do that?—I cannot tell you what Parliament might do.

5196. Do you think a Parliamentary Committee could be asked to inquire into the amounts of compensations to be paid?—Teat all depends on what the terms are for the arbitration; if they are final.

5197. Exactly, but if they are final you would not have them re-adjusted by Parliament afterwards?—They could not be re-adjusted if they were final.

5198. But supposing they are not final, and really there is an agreement come to between the companies and the water authority as to terms, then Parliament must do one of two things, accept the Bill as it stands; that is the first thing, is it not?—Yes.

5199. That was tried you know in 1880?

Mr. *Lawson.*] There was no agreement then between the local authority, was there?

Mr. *Rickards.*] The terms of compensation were agreed.

Witness.] If terms were agreed, of course Parliament usually ratifies these things.

Mr. *Rickards.*

5200. There was no agreement by the municipal authority, but there was an agreement by a gentleman instructed by the Home Office to negociate, who practically took the position of an arbitrator. (To the *Witness.*) But the result is the Bill must be either rejected, or else Parliament must go over the whole thing again, and assess the terms of compensation themselves, is not that so?—I do not know; I am sure. I cannot answer that question.

5201. Then I uuderstand you to say, with regard to Manchester, that there is no instance in which outside authorities supply their districts independently of the corporation?—There are some cases outside Manchester; for instance, take the town of Stockport. That town has the power of taking a million gallons of water a day from Manchester, and they have their own waterworks besides.

5202. But according to your table here, I have a number of outside local authorities who have jurisdiction within the outside municipal limits; that is to say, the water area outside the borough of Manchester?—They have no independent waterworks.

5203. They have no independent waterworks?—No.

5204. They do not supply themselves in any sense?—Take, for instance, Altrincham.

5205. They distribute, but they do not do it independently of the corporation, do they?—Yes, they do. There is a waterworks company for the supply of a very populous district at Altrincham, Bowden, and Sale. The Corporation of Manchester sell the water in bulk to the company, and the company distribute it in their own way afterwards.

5206. We are at cross purposes: that is exactly the point I want to make, and that is, that the corporation either supply in detail or in bulk to the outside districts?—Yes.

5207. Do they not leave the local authorities to deal with the question entirely independently of the corporation?—If they are not supplied in detail.

5208. Do not misunderstand me. That is a fact, is it not? I mean to say the outside authorities do not get their own supply?—Of course they do not; I have said so.

Re-examined by Mr. *Freeman.*

5209. You were asked with regard to Manchester, whether you had had difficulties with certain authorities. They were authorities, were they not, at a considerable distance

Mr. *Freeman*—continued.

tance from Manchester, along the 96-mile route of your aqueduct?—That is so. They were not difficulties. They applied to the Committee to be included to get a supply of water from the aqueduct, as it passed through their districts.

5210. As regards the surrounding districts of Manchester which you supply, have you had any difficulties with them whatever?—None at all; there is no friction whatever.

5211. One question as to the necessity of this inquiry, on the cross-examinatien of my friend Mr. Cripps. Is this a case which is quite unique in the fact that you have to deal with so many companies?—That is so.

5212. Are you also aware that this is a case where one set of people has introduced the Bill, and now the county council is asked to take it up?—Yes.

5213. In your opinion, therefore, should they in fairness all round have an opportunity of inquiring into the circumstances?—I think so.

5214. In your opinion would be a saving, both of time and of money?—Yes; and I think there would be a spirit of fairness in the whole thing if the question was inquired into.

5215. And would facilitate closing the entire question?—Yes, if they take the question up at once; it all depends on how long they leave it over.

Mr. *Lawson.*

5216. May I ask whether any of the cases in which you have carried out works in the north of England inquiry has been conducted by the corporation?—There has been no inquiry as a rule.

5217. I am not talking of a Parliamentary inquiry or of an inquiry authorised by Parliament, but I suppose the corporation has of itself carried out an inquiry before applying for powers to Parliament?—Yes, certainly. For instance, none of these large works are carried out without there being a good deal of preliminary examination first.

5218. Are you aware of the inquiry conducted in the City of London last year?—By the corporation?

5219. Yes?—Yes, they came down to Manchester and I went before them to give evidence in Manchester, and then they went from Manchester to Glasgow to inquire into the supply there.

5220, Have you read the evidence given at that inqiry?—Yes.

5221. Do you think it gives the sort of information that is necessary?—It gives a good deal of information, but I think a good deal more is wanted than there is there.

Sir *Henry Roscoe.*

5222. In what direction is there more information wanted?—Generally on the question of the authority taking over the water, we want a lot of information connected with these eight companies on the supply from the Thames and the supply from the chalk. There are a great many questions mixed up in this matter.

5223. How long was the preliminary investigation with regard to the Thirlmere scheme before

Sir *Henry Roscoe*—continued.

the works were commenced?—The Bill was passed in 1879, and we commenced the investigation about 1876 I should think.

5224. Then it took about three years before the investigation was sufficiently far advanced to come to Parliament for a Bill?—Yes, the Bill was rejected the first year. In Glasgow the old Glasgow Waterworks Company first went for a Bill, and the corporation were advised their scheme was not the best scheme for the city, and that they ought to oppose the Companies' Bill, which they did, and the Bill was rejected. The next year the corporation themselves came for the Loch Katrine scheme, but the Admiralty reported against the scheme as being injurious to the River Forth Navigation. Then there was also the question of the action of soft water on lead brought up, and the corporation lost their Bill. They came with the same Bill the third year for the Loch Katrine scheme, without altering anything in the Bill whatever, and it was passed.

5225. Do you agree with what has been stated by some of the witnesses with regard to the time which would be necessary, or the shortness of the period which the investigation would cover in the case of London?—I should think it would take a 12 months, investigation. I do not mean to say a continuous sitting of course.

5226. You think the investigation could be got over in 12 months?—Yes, I should think so.

Mr. *Lawson.*

5227. Do you think it ought to be conducted by a Royal Commission?—I think it would be better.

5228. Because of their powers, of course?—Yes, I think it would be.

5229. You do not think a local authority can satisfactorily conduct such an investigation?—No, I should go in for a Royal Commission distinctly.

Mr. *Murdoch.*

5230. With reference to the inquiry made before the Thirlmere sceeme was propounded, that was an *ex parte* inquiry, was it not?—Yes, by the corporation themselves.

5231. You did not summon the owners of land whose land you were preposing to acquire compulsorily to assist you in that investigation?—No, We ascertained how long the present supply of water from Longendale would last, and how soon the new supply would be required, and you see we have been 14 years at it now, and the water is not in the city yet. It takes a long time with these large schemes to bring them to completion.

Mr. *Bolton.*

5232. Do you think the investigation should precede any Bill passed by Parliament to constitute the authority, or to give powers to purchase by agreement, or to give compulsory powers?—No; I think myself the first step would be the constitution of the authority; then would follow the inquiry.

5233. In any event I suppose you would consider that the works of the present company, their mains and their reservoirs, would all have

Mr. *Bolton*—continued.

to be taken?—Yes, everything without exception.

5234. Then the inquiry would go to ascertain the facts as to sufficiency of the supply, the purity of the supply, and the condition of the works?—Yes, and whether any extension would be necessary.

5235. Would not that be a question of considering the value of the property to be taken over?—But I should take along with that the necessity for other sources of supply, and the question as to how the Thames Valley is to be dealt with.

5236. But the question of other sources of supply, if they were additional supplies and not competitive supplies, would not affect the purchase of the existing companies' works and property, would it?—No, but I think the inquiry should cover the whole field.

Mr. *Lawson.*

5237. Would that inquiry be conducted with a view to ascertaining the value of the existing companies, or to show how far London could count upon the existing supply in regard to its future wants?—No, it would not take into question the value of the companies at all.

5238. You mean it solely for the purpose of settling the question of the additional supply?—The question of the supply as it is at present and without reference to its value.

5239. And without reference to the statutory powers of the existing companies, which are far from being exhausted?—All those things would be brought out at the inquiry, the quantity of water they take from the Thames, whether it is nearly exhausted; also the quantity of water to be obtained from the chalk, and whether it is likely to affect the surface waters.

5240. You have already had that of course besides other Royal Commissions, have you not?—There is a good deal more known about it now than then.

Mr. *Bristowe.*

5241. What would be the line of procedure; do you propose first to constitute a statutory authority, then having done that; to have a Royal Commission?—Yes.

5242. Which would take, perhaps, one year or two or three on such a large question?—Yes.

5243. So that at the conclusion of its report, which is apparently to embrace quality and quantity, and the whole of the cognate subjects, with that information the statutory authority would approach the water companies and proceed by arbitration to purchase them?—Yes, by agreement, in the first instance, because all the facts would be before both sides. Say the companies are on one side, and the Corporation of London and the London county council, if that were the authority appointed, on the other, they would have all the facts before them.

Mr. *Bolton.*

5244. You do not think that all these questions would be sufficiently raised on the discussion as to purchase, do you?—I do not think so; not as well raised.

Mr. *Bolton*—continued.

5245. You have started with the proposition that the public should buy the existing companies' works and mains?—Certainly.

5246. And their reservoirs and property, in fact?—Certainly; everything they have got.

5247. Then why should not they purchase everything the companies have, and, having acquired the companies' property and works, and being in possession and working the concern, why should not they, with that actual experience, be in a better position to consider the further or additional supply than they would be on a speculative inbuiry preceding the whole of that?—But I think the inquiry would clear up many points which would be necessary to come to the value; general points, I think. Then I think the question of agreement and arbitration would be very much shortened on the facts before them.

5248. Do you not think it is possible to arrive satisfactorily at the value unless you have considered the whole question of the sources of supply?—That is what I think. In these other cases of Glasgow and Manchester there was nothing of the sort done. There they came to an agreement, or, rather, it was by arbitration. There was no general inquiry, and nothing more came out at the arbitration. There was no such inquiry as I am now speaking of, because this is a question of such magnitude that I think it wants to be dealt with rather differently.

Mr. *Bristowe.*

5249. This is a much more complicated question than has ever come before your notice, is it not?—Yes.

Mr. *Lawson.*

5250. In no case in your experience has there been an inquiry of this character?—No.

Sir *Algernon Borthwick.*

5251. This Committee has been rather avoiding questions as to the inquiry in view to coming to a conclusion as to the general determination of the very first principles that guide the purchase of the companies by a statutory body, because we imagine that the statutory body would be the proper body to make all these inquiries for itself as to future supply?—The statutory body would be the body capable of doing this, but I should lean certainly on a question of this sort, which is an Imperial question almost, to a Royal Commission.

Mr. *Bristowe.*

5252. I understand you to say that it has taken 15 years to bring the water from Thirlmere to Manchester, a length of 96 milee?—Yes.

5253. Do you consider that the 15 years that has been used in bringing that water up has been in any way unnecessarily prolonged?—Yes, I think it might have been shortened because there were certain arrangements which the corporation took their time over, as to purchasing land.

5254. I think that time for the Thirlmere scheme was three years, and 12 years for the works?—There is no limit in the Thirlmere Act as to when the works are to be completed.

5255. Could

Mr. *Bristowe*—continued.

5255. Could you tell me in what particular direction the great length of time was taken; was it at Thirlmere, or with regard to the pipes that bring the water to Manchester?—In the execution of the works themselves at Thirlmere; the works themselves would take about seven years.

5256. And the pipes three years?—No, the aqueduct and the pipes would take seven years.

5257. Supposing we had from London to go up to the north for water, and bring water we will say 200 miles in addition to the 96 miles, can you give any idea as to how long that would take?—I think the first steps would take five years, and then there would be the carrying out of the works which would probably take another eight or nine years.

5258. You think it could be done in 14 years?—I think it could be done in less than that.

5259. Can you tell me what is the entire expense of the Thirlmere scheme?—About 3½ millions.

Mr. *Lawson.*

5260. In all these Water Bills for carrying out works in which you have been engaged, the municipality has run the risk, have they not, of not getting their expenses; they have got to a certain extent, have they not, *ultra vires*, and got their expenses allowed thraugh Parliament?—Yes, there will be no difficulty about that; I have never known any such case.

5261. They have always had a chance, have they not, in that view?—I think they have.

Mr. *Freeman.*] That is a legal matter, I think, Sir; I do not think the corporations run any risk; they are in a different position.

Mr. *Murdoch.*

5262. (To the *Witness.*) You contemplate this investigation being made by a Royal Commission, you say?—Yes.

5263. Supposing the water companies do not accept the conclusions come to by the Royal Commission, what then?—I suppose then that the authority would come to Parliament to carry out the views of the Royal Commission, and then their case would be heard before Parliament.

5264. And supposing the authority did not accept the views come to by the Royal Commission?—Well, I suppose the old companies will have to go on working the scheme as they do now.

5265. Then you mean they will not compulsorily purchase?—The authorities appointed would purchase them; I am afraid I do not quite follow you.

5266. You say before any terms can be come to a large inquiry ought to be held by a Royal Commission?—Yes.

5267. Supposing that the Royal Commission in their conclusions arrive at a state of things which is not satisfactory to the statutory committee, what then; will they be obliged to go on and buy the water companies at their own price?—I do not know, I am sure; I can scarcely answer that question.

5268. You contemplate all through that the result of the inquiry by the Royal Commission will be one favourable to the view of the statutory committee, do you?—I think so; I do not think there can be a doubt about a public authority being the proper authority to take over the water supply.

5269. That of course we all agree upon?—That is the point.

5270. But then there is no inquiry necessary for that because we all agree?—That is what I understand the question to be, the constitution of the authority.

Mr. *Bolton.*

5271. What I cannot see yet is this: why should not Parliament constitute an authority, authorise that authority to buy by agreement with the companies, and the questions you have referred to as to additional supply be left over until after the purchase?—I was looking upon it as being perfectly exhaustive; that is the reason I spoke of future supplies.

5272. If you start with the proposition that you must buy the companies' property, all that the company have got as you have expressed it, why should not arrangements be made at once for the purchase of that property?—I do not know. There would have to be some inquiry by some one before they would know what terms could be come to.

5273. Would not that inquiry take place before the arbitrator appointed to settle the price?—It might do.

5274. Would not that be following the lines of Manchester, Birmingham, and Glasgow?—It would to a certain extent. They did not take the new supplies there when they settled with the old companies, because the new supplies were in operation at the time. For instance, Loch Katrine was being carried out when they made the arrangements there. The corporation of Manchester had determined on the extensions to Longendale when they agreed with the old Manchester and Salford Waterworks Company. Many of these had been settled before they came to the new supply. In this case it is not so.

5275. But then the additional supply does not affect the question of purchasing the works and property of the present companies, does it?—I do not know about that.

5276. I ask you whether that is so?—That is a doubtful point.

5277. You say under any circumstances the mains and the reservoirs and property of the companies must all be taken?—Yes.

5278. Then if they must all be taken in any event, why should not they be purchased first, and the present supply continued so far as it is sufficient, and the question of supplementing it or of giving a different supply deferred till the water authority is in actual possession of the supply of London and carrying out that supply?—I think there is a good deal hinges upon the taking over of these water companies, their sources of supply and what might take place, and that would probably affect the value to some extent. I cannot tell to what extent that might affect the opinion of an arbitrator.

Mr. *Bristowe.*

5279. But that has never been done in any previous case to your knowledge, you say?—No.

5280. The only difference between London and any other place is that it is larger, is it not?—Yes.

5281. But the water question, I think you said, was more easily solved here than in any other place?—No, I do not say it is more easily solved. I say I do not see any reason why it should not be carried out here as it is in the North. I do not say it would be more easily solved.

5282. I understood you to say the position of London made the works more easy?—No.

Mr. *Lawson.*

5283. The only reason for any special treatment is the magnitude and complexity, as I understand it?—That is so. It is different to our Northern districts, because you see they take the water out of the rivers here, and in our districts we have large works to erect and to pay compensation. All these questions would be probably dealt with in one form or another at the inquiry. You could divide the inquiry into two parts if you liked.

5284. Under the statutory powers our waterworks here are not obliged to provide the compensation water that you are in the North, are they?—No, because they do not take the water out of any streams where there is power. They receive the water from the drainage area just above the tideway. If they were to go up to the drainage area above on the Thames and take the water from the streams they would have to pay compensation then.

Sir *Henry Roscoe.*

5285. Do you think a Royal Commission could carry out this inquiry more satisfactorily than it could be carried out by arbitrators?—I think I should have more faith in it on the general question.

Sir *Henry Roscoe*—continued.

Sir *Algernon Borthwick.*

5286. Supposing the Royal Commission were to report that there is ample water and ample sources in the Thames and in the chalk, and that their reply is extremely favourable, you would still compel the local authority to buy, giving the companies the increased price and the benefit of that report, would you not?—I think the local authority should have power to take over the works whatever that report might be.

Mr. *Lawson.*

5287. A price would have to be fixed somehow?—Yes, and if the Commission stated that there was an ample supply in the Thames, that water could be taken without injury, and further water could be got from the chalk, that opinion would be given after hearing all the evidence on it, and I should think it would be an opinion to be relied on.

Sir *Henry Roscoe.*

5288. And that would raise the price of the companies?—I cannot say about that.

Sir *Algernon Borthwick.*

5289. The argument is as good one way as the other, you want an inquiry in order to depreciate the undertakings?—No, I do not; I think the companies ought to be dealt with fairly.

Mr. *Lawson.*

5290. It is a two-edged weapon of course; it might cut either way?—I quite agree that the companies ought to be fairly paid for what they have done.

Mr. CHARLES HARRISON, sworn; and Examined.

Mr. *Freeman.*

5291. You are a member of the London county council, are you not?—I am.

5292. And you are chairman of the Parliamentary Committee?—I am.

5293. And also of the Finance Committee for local taxation?—I am a member of the Finance Committee for local taxation.

5294. Have you very carefully considered the question of the London water supply, as far as it relates to the Bill now before the Committee?—Yes, we have, and I have individually.

5295. I will take you very shortly on the preliminary points; you have read the evidence which has been given by Sir Thomas Farrer, have you not?—Yes, I have read the evidence given before this Committee.

5296. Do you entirely agree with the main conclusions that Sir Thomas Farrer laid before this Committee?—I do.

5297. And the report which Sir Thomas Farrer referred to of the Parliamentary Committee, passages of which were read to this Committee, was signed by you as chairman of that Parliamentary Committee I believe?—Yes.

Mr. *Freeman*—continued.

5298. You are responsible with the other members of the committee for its contents?—I am, and that report was adopted by the council by a resolution.

5299. The two questions to which I want to direct your attention very briefly are, first, whether outside authorities should have direct representation, and the second is immediate purchase; in dealing with any area outside the metropolis, do you fully agree that the utmost consideration and consultation should be given to the outside authorities?—Yes.

5300. And you are perfectly willing to undertake that when any particular district is being dealt with, the local authority of that district shall be in the fullest way consulted?—Yes; not only consulted, but our views are that they should run *pari passu* with us as regards those outside areas.

5301. You have no desire in any way to usurp their position or to unduly interfere with them?—Not at all.

5302. On the other hand you stronly desire their assistance and support, do you not?—Certainly. With regard to the inside area, that is quite

Mr. *Freeman*—continued.

quite sufficient for our purposes; and we do not desire in any way to interfere with those in the outside area, whether they are in a suitable water area or not.

5303. Do you agree with the conclusions of Sir Thomas Farrer, that the interests of those authorities would be better safeguarded by such an arrangement as that, than by a small representation upon your actual body?—Certainly, and we have very fully considered that point.

5304. I want you to carefully answer the question as regards the purchase from and dealing with the water companies themselves, in your opinion is the county council, conjointly with the corporation of the city, at the preseut moment in a position, without further inquiry, to deal with that subject?—We think not. We have made very careful inquiries and we think not, particularly with regard to the question of purchase, viewed from the light of the question of the purchase money or borrowed capital that would have to be raised for the purpose of any purchase.

5305. Of course, at the present time, the proposition to purchase the companies is not one which has emanated from the council itself. It is in the Bill which has been introduced by other people?—Yes, and I do not think those people had the slightest knowledge of the position financially of the London county, nor did they have before them the questions which must necessarily arise the moment you contemplate raising capital for the purposes of purchase, or dealing with the companies. I am quite sure that their information is little or nothing; because I know the difficulty that we the central authority have had in collecting and getting together such material as we have got even on that point. I am quite sure that no individual authority could possibly possess that information.

5306. On the other hand you and the Finance Committee have had very carefully to consider this part of the case, have you not?—Yes, we have given a great deal of attention to it indeed; and so also has another committee which is sitting making inquiries on that point concurrently with the rest of the taxation of the metropolis. That committee of the council is called the Local Taxation Committee, and it is prosecuting its inquiries concurrently with the inquiries now being prosecuted before the Town Holdings Committee of the House of Commons.

5307. And you have had the results of the inquiries which those committees have made before you?—Yes.

5308. In any event the capital which will have to be raised to deal with this water question must be a question of very serious magnitude, must it not?—Immense, no doubt.

5309. Whether the estimate of the companies is correct, or whether it be a less sum, it must still be a very large amount?—Very large.

5310. Would you in your own way explain to the Committee the great importance of readjusting, or rather of raising that amount in comparison with the existing debts of the metropolis?—Yes. The present total outstanding indebtedness of the metropolis is roughly, I cannot speak quite up to date, 40,000,000 *l.*

Mr. *Lawson.*

5311. Does that include the City and the local authorities?—It includes what are known as the Metropolitan Local Authorities; they are the Poor Law Authorities, Metropolitan Vestries, School Board for London, Metropolitan Board of Works, Commissioners of Police and Metropolis, Commissioners of Sewers of the City of London, Corporation of London, Commissioners of Baths and Washhouses, Commissioners of Free Public Libraries, Burial Boards, Conservators of Commons, and Churchwarden Rate. There is a debt on London in this area of just over 40,000,000 *l.* Of that debt the net debt of the London county council on the 31st of March was 17,909,645 *l.* It may be taken in round numbers at 18,000,000 *l.* out of the 40,000,000 *l.*

Mr. *Freeman.*

5312. Will you explain what you mean by the words "net debt"?—The debt of the London county council is, outstanding 29,618,283 *l.* On the other hand, there have been formed by sinking funds, and the accumulations of that sinking fund which is known as the Consolidated Loans Fund, a net sum of 12,384,774 *l.*, so that the net liability, after deducting that which is already provided for at the present moment, and which has to be provided for, is 17,909,645 *l.* That has to be paid as to 8,000,000 *l.* by the year 1929, and as to the balance of 6,600,000 *l.* by the year 1941. Then there is a balance of 1,000,000 *l.* also to be paid by 1941.

5313. The next figure I want you to give us is the gross valuation?—The gross valuation of the 6th of April 1891 is 40,007,278 *l.*

Mr. *Pember.*

5314. Does that 40,000,000 *l.* refer to the same area as the 40,000,000 *l.* of debt referred to?—Yes.

Mr. *Lawson.*

5314*. That is the gross, is it?—That is the gross.

Mr. *Bristowe.*

5315. The council is answerable for these 40,000,000 *l.*, are they not; they have no other people to fall back upon?—No, they are only answerable for the 17,909,645 *l.*

5316. Are they not answerable for the other?—No.

5317. Who is then?—I will give you an illustration of what is done. I will take the school board. The school board want to borrow three millions and a-half; we take powers to raise three millions and a-half; we lend that sum to the school board, and the school board have to pay it off.

5318. But still you borrow it?—Yes.

5319. You get it back from the school board, but you borrow it yourselves?—Yes.

Chairman.] I do not quite see what the object of this is, Mr. Freeman. No one disputes that London can pay this amount.

Mr. *Freeman.*

5320. There is an object in it, Sir, which will be seen. (To the *Witness.*) You have given us the debt of the metropolis and the gross valua-

Mr. *Freeman*—continued.

tion, the net valuation being 33,000,000 *l.*?—Yes.

5321. In your opinion, therefore, it practically means at least doubling the net debt of the metropolis?—If you take 20,000,000 *l.* it will more than double the net debt of the council. If you take 40,000,000 *l.* as the purchase money, it will more than double the net debt of the metropolis.

Mr. *Pember.*

5322. How do you arrive at that? You told us the debt of London was 40 millions; you did not say that was gross?—I say that was net; and if you raise 40 millions for purchase, it would be doubling that debt. When you raise that money by the existing law, we must pay that off in the course of 60 years.

Mr. *Freeman.*

5323. Under the existing Act, money cannot be borrowed for more than 60 years?—No, that is the longest term. The result of it is that, if if you raise 20 millions, spread over 60 years, you impose a debt on capital account of 333,000 *l.* a year on the metropolis; if you raise 40 millions, of course you double it. The whole of that contains practically very little freehold in possession; but it is all under covenant to pay rates and taxes. The result, therefore, is that if you were to borrow 20 millions you would be liable to pay it eff in annual instalments of capital of 333,000 *l.* a year, and that would be a rate which would fall on the occupier under his covenant, and he would be paying and redeeming the whole of that purchase money, and equipping London with a waterworks system to which nobody else would have contributed except the immediate occupier for that 60 years. Of the 530,901 houses which were in existence in 1891, 48¾ do not fall into possession till after the 60 years from the present date has run. The result, therefore, is that you are throwing by that system the capital purchase money entirely upon 62 per cent. of the occupiers for the purpose of equipping London, and you relieve the reversioners and those whose reversions do not fall in until after 1951 from any liability to contribute to this purchase. Now that, of course, is a very very serious question, and one that has given us a great deal of consideration, because we feel with the existing difficulties of taxation, and particularly that of redemption of debt, which must take place according to the existing law, some system should be devised to remedy that state of things. The same question arose even in 1861, when it was proposed to make the main drainage system of London, which was only a system involving an expenditure of 3½ millions. There was a Select Committee of the House of Commons which sat upon that question. That Committee reported in 1861 that "so heavy has the charge of local taxation become in less wealthy districts that the Metropolitan Board is of opinion that direct taxation on the occupiers of property there has reached its utmost limits." They further reported: "It remains to be considered whether the expenditure of the Metropolitan Board is of such a nature as that it would be just and reasonable to depart

Mr. *Freeman*—continued.

from the ordinary practice of imposing local burthens on the occupants of property for the year in which the rate is made. It will be observed from the foregoing account of the proceedings of the Metropolitan Board that nearly the whole of its expenditure and obligations have been incurred for the purpose of supplying wants arising from the defects of former administration of the affairs of the metropolis, and of affecting permanent improvements which have tended to increase the value of property in the metropolis; that the works undertaken are of such magnitude that the charges for them have been extended by Parliament over many years; and that their effect will be felt long after all the charges have been defrayed; that the whole of this expenditure is of a novel character, resulting from special legislation, imposing new and unforeseen burthens. In analogous cases one moiety of the charge has been imposed upon the occupiers, and the other on the owners of property. Your Committee therefore recommend that in any arrangement of the financial resources of the Metropolitan Board a portion of the charge for permanent improvements and works should be borne by the owners of property within the metropolis, the rate being in the first instance paid by the occupier, and subsequently deducted from his rent, as is now provided in regard to the general property tax."

5324. Without pursuing that matter further in detail, have you convinced yourself that the question of how the large capital is to be raised to deal with this water question is one which the council and corporation must further inquire into before they can be in a position to bring a proper scheme forward?—Most certainly. There are various schemes by which it is possible the question may be solved. The House of Commons' Report is expected on the question of the incidence of taxation this Session, and that may afford us a solution.

5325. You have convinced yourselves, I think, that one of the numerous matters in connection with this question is that further inquiry is necessary?—Certainly; it may be by imposing perpetual rent charges on which the occupier would then only pay the interest. The rent charge would remain a permanent charge on the property, and as each successive interest came into existence it would be liable to pay it. It may be, and it was a suggestion that we rather leant to as far as some of our discussions have gone, that when you have arrived at the purchase money to be given, that should be turned into a pepetual lease at a rental. In that way the capital charge would not come on the occupier, but only the lease or rental charge, and it is in reference to that discussion that we introduced the paragraph into our report, which was to this effect: "It may be added that in the case of some of the companies, the New River Company more especially, the property includes a large extent of landed estate, with houses thereon, the acquisition of which by the council is not in any degree essential. There are, however, some properties now occupied as reservoirs or otherwise which it would probably be necessary to acquire in the first instance if the purchase were carried out, and it would be necessary for the

Mr. *Freeman*—continued.

the council to obtain powers to deal with these by sale or leasing should the consolidation of works admit of their being dispeused with." We have also, not only in the case of the New River Company, where there is a large amount of capital representing pure land, and nothing to do with the water question at all, thought it might be advisable, as you do not break up that company, to take a lease in perpetuity at a given rental of the balance of the waterworks portion belonging to that particular company. However, those are all questions which we have had to give a good deal of consideration to, and upon which we have not arrived at present at any definite solution.

5326. Of course, this Bill not having been introduced by you, the council have really not had an opportunity yet of fully considering the question?—No.

5327. You desire, in the interests both of vendors and purchasers, to have a full opportunity of arriving at a fair measure of the value on this question, do you not?—Certainly, that is our view.

5328. And if Parliament saw fit to constitute the authority, and to give them powers, you are then quite prepared at once to proceed with this question, and shortly to bring a proper scheme before Parliament?—Yes, we should be.

Cross-examined by Mr. *Pember*.

5329. When do you go out of office?—When Mr. Ritchie's Bill defines it. It will no be beyond March. We do not know yet what is going to be done.

5330. It seems, as far as I can gather from what you were saying, that you are very much exercised in your minds in the county council as to whether for the purpose of borrowing money ground-rents ought not to be taxed?—No.

5331. That is what it comes to, does it not?—No, it does not indeed; it is a question as to whether the occupier is to have a capital charge put upon him which by the accident that in London, and London alone, there is a leasehold system, we are necessarily obliged to throw upon the tenant as a further obligation under his covenant to pay.

5332. I can understand that; but after all that may be a question which Parliament can settle, of course in any way it pleases, quite irrespective of this water question, can it not?—No; because there may be powers inserted in the Water Bill, if it is so thought fit, of purchasing as I say, or leasing in pepetuity on a given rental.

5333. I did not catch your phrase?—Leasing in perpetuity on a given rental.

5334. Leasing the water companies in perpetuity?—Yes.

5335. How would that affect the question as to whether the occupier or the reversioner should bear the burden?—Because there would be then no sum paid for the redemption of the capital in the lease. It would be a rent-charge on the capital.

5336. If you mean that Parliament may make the arrangement that it shall be by a lease in perpetuity, in fact you would force the vendor,

Mr. *Pember*—continued.

not only to sell, but to accept the security of the county council for the purchase money for ever?—No, because there would be no difficulty, when the amount of purchase money was ascertained, in converting that, as far as taxation was concerned; a rate to be levied by the London county council into a rate equal to a lease in perpetuity.

5337. At all events as I understand you now, it would not prevent the purchase money for the companies being paid over to them?—I think not; either it could be raised as a capital sum, or it would be for Parliament to say whether a perpetual rent charge ought not to be the equivalent for the purchase.

5338. Do not let us beat about the bush. You want to have an opportunity of asking Parliament to say that the companies shall be forced not to take cash, but to take some sort of security in the way of income from the county council, do you not?—No, I do not say that they shall be forced; but what I say is that until this question is thoroughly investigated it is impossible to deal with it.

5339. I do not want you to take refuge in that generality which we have heard a dozen times over. I want a plain answer to a plain question. Do you want an opportunity of asking Parliament to force the companies instead of taking cash for their undertakings to take a perpetual rent charge?—No, I am not in a position to say what we want to ask, except that I say that I cannot, as I said before, deal with this financial aspect of the question until it has been thoroughly considered and threshed out.

5340. I did not say you could?—And what particular form in which that question may be settled is a point on which we have not yet come to any conclusion.

5341. At all events this will do for me. I will put it in this way. You want to keep it an open question that if I am bought I am to be paid in cash or forced to take your perpetual rent charge?—No, what I say is, I do not want to have the council forced to purchase and to raise capital under the existing law, which necessarily compels the payment of the annual instalments for capital to be forced on the occupier *nolens volens*.

5342. Then do you not think the right thing would be to postpone the purchase of the water companies until you have settled that question?—I am quite prepared to say that as soon as that question is settled we should then be in a position to apply to Parliament for necessary powers.

5343. Let us know what you mean by necessary powers. Necessary powers to purchase I assume you mean. Now let us suppose the purchase is made, would you then be willing to say that the right thing to do was to pay the companies out-and-out a capital sum?—I cannot say what would be the right system until the matter has been more fully considered, and a conclusion has been arrived at.

5344. Then excuse me for saying you cannot get out of this, that you want to keep it an open question whether or not under certain circumstances to be hereafter divulged, I am to be compelled, instead of getting cash for my undertaking, to take a perpetual rent-charge?—No.

Mr. *Pember*—continued.

What I desire to keep open is the form in which the purchase should be carried out.

5345. That is exactly what I say?—I desire to keep that open at present; not in favour of this, that, or the other particular system.

5346. On this question of whether the reversion shall be taxed or not for the purpose. You are not prepared to do anything at all?—It is not a question of whether the reversioner should be taxed.

5347. What is it?—It is a question of whether the interest going over and beyond 60 years should contribute or not.

5348. In other words, whether the tax, whatever it may be, should come to and end in 60 years or not?—It may be that Parliament will extend it over a perpetuity, or over 100 years.

5349. It is a question of whether the tax should come to an end in 60 years or not, is it not?—The capital portion; not that liable to it now.

5350. That being so, you are not prepared to do anything apparently until that is settled?—That, I think, is one of the matters which has to be settled for the purpose of dealing properly with the whole question.

5351. In other words, you are not prepared to deal with the question until that is settled?—Exactly, as one of the elements in the question.

5352. Does it not seem to you, after all said and done, that if, instead of purchasing the undertakings of the water companies, they were put under sontrol, such as I foreshadowed to Sir Thomas Farrar, and afterwards to Mr. Binnie, it would get rid of all these difficultios?—It may get rid of the financial difficulty.

5353. I say it might get rid of the financial difficulty, at all events, whatever else it did. Following up your examination in chief a little further, out of what fund does the interest of this 40,000,000 *l.* of debt of London come?—The poor law authorities levy their own direct.

5354. After all the whole of the debt is a rate upon that valuation of 40,000,000 *l.*, is it not?—The whole of that debt is a rate upon the valuation of 40,000,000 *l.* gross.

Mr. *Lawson.*

5355. No, not upon 40,000,000 *l.*, but upon the rateable value?—Yes, gross.

Mr. *Pember.*

5356. You are quite right, Sir, that was the gross. (To the *Witness.*) What is the net figure that is represented by that 40,000,000 *l.*?—The net figure returned, including the Government property, which they are not legally liable to pay, is 33,088,095 *l.*, just over 33,000,000 *l.*

5357. What does the total debt, whether it is owed by yourselves, the county council, or by the other bodies that you gave us from the City of London down to the Burial Board, represent in the £. on that 33,000,000 *l.*?—That would be a matter of calculation; but I could tell you what it was in 1888.

5358. I daresay that will help us to a considerable extent?—I think it is 5 *s.* 3 *d.*, but I will not speak quite positively.

5359. I do not want to know what you levy yourselves, but what all the authorites levy?—

Mr. *Pembor*—continued.

The total levy in 1888 on the metropolis for rates was 6,970,732 *l.* That was down to 1888, the last official return.

5360. What does that represent in the £.?—It is a matter of figures.

5361. Do they not give the number of shillings in the £. in that return?—I have not it before me in this return, but it is about 5 *s.* 3 *d.* I think.

Mr. *Lawson.*] The average is about that now. It was 4 *s.* 10½ *d.* I think then and it is now about 5 *s.* roughly.

Mr. *Bristowe.*

5361*. (To the *Witness.*) That is not required to pay the interest on the debt?—No.

Mr. *Bristowe.*] I understood what Mr. Pember wanted to know was what was required for the interest on the debt.

Mr. *Pember.*] No, Sir, what I asked was what it represented in the £.

Witness.] That represents the total requirements plus the annual instalments on account of the debt. It is given in the Local Government Returns.

5362. What can you issue your capital at; for instance what did you issue your last loan at?—I forget without reference, but I think it was abou 2 *l.* 17 *s.*

5363. Of course it would depend on the amount a good deal?—Yes; that loan was 1,000,000 *l.*

5364. When was that raised?—That was raised in November 1889.

5365. That does not include the sinking fund, of course; that is for the mere interest?—I am merely speaking of the price.

5366. What have you to add to that for sinking fund and other things?—I can tell you what the sinking fund is. The sinking fund which we levied this year for principally the 3½ per Cent. Debt was 231,000 *l.*, and for the 3 per Cent. Debt, 135,000 *l.*

5367. I am afraid that will not help me, because I could not do an arithmetic sum upon those figures. The total expenses of a debt you know as well as I are not merely confined to the interest which you have to pay upon it?—I was giving you the annual instalments. We divide the capital raised by 60 years, and each year we pay off that amount of principal in the levy.

5368. All other municipalities can tell us without the slightest difficulty; what does that bring the annual charge of your debt per 100 *l.* to?—I cannot answer that, because the Consolidated Fund is so large shat it produces interest which goes in reduction of the rate. I cannot answer your question put in that form.

Cross-examined by Mr. *Worsley Taylor.*

5369. As to the representation of the outside authorities of Middlesex and West Ham, do I understand you to object to representations from those two authorities being present at the consultations of the Committee?—I do not suppose we should object to anybody being present.

5370. You know what the functions of the statutory committee in the first instance are to be, do you not?—Yes.

5371. This

Mr. *Worsley Taylor*—continued.

5371. This is one of their functions, is it not "To make any public or private inquiry into the existing supply of water within the metropolitan water area, and the charges made for the same; and into the present and possible future sources of such supply, and to enter into negotiations with any pubic authority, or water company, or persons, for the acquisition or taking on lease of any of their undertakings, or any part thereof, and subject to ratification by the London county council to enter into provisional contracts with respect thereto"?—Yes.

5372. What objection have you to representatives of the outside authorities attending all the meetings of that Committee and having full knowledge of all the matters which are laid before that Committee under that sub-section?—I do not think they are concerned with all the questions.

5373. But are they concerned with some of them?—They might be.

5374. I suppose you would agree in the view which has been expressed by all the witnesses on your side hitherto, that in this matter of water supply generally they are just as much interested as London is?—Taking it generally, of course I concur in that view.

5375. You agree with that view?—Yes.

5376. And I suppose you agree in the view that there are three ways in which they can be dealt with; by severance, by having an absolutely separate water supply in bulk, and by being supplied in detail by the purchasing authority?—Yes, taken in that large sense.

5377. And you agree in the view, do you not, that there must be a long inquiry and negotiations before any settlement can be arrived at?—I apprehend so.

5378. And that it is in the interest of everybody, if possible, that the Bill which is to be brought in should be an agreed Bill?—Of course, if you can get an agreed Bill it would be highly desirable.

5379. And that the provisions of that agreed Bill cannot be arrived at, except with full knowledge on the part of all parties who are to agree to it?—I have said that already.

5380. Then I ask you after that what earthly objection can you have to the outside people being represented on the inquiry?—That is one thing; but it is another thing to give them a statutable right to attend an inquiry and to be interfering with every question, and perhaps prolonging the inquiry unnecessarily. I think that the conduct of the inquiry must be left to the Statutory Committee, and they are not likely to object to any attendance of anybody who can assist at that inquiry.

5381. You are not likely to object?—No. There is another reason why you should have no statutable right to attend.

5382. What is your objection now?—Because there must be a discretion vested in that committee conducting the inquiry.

5383. But why? We are equally interested with yourselves you agree. Mind you, I am not asking for any control over the decisions of the Committee, but all I am asking for on behalf of Middlesex and West Ham is that we may have a right to attend and get at the true

Mr. *Worsley Taylor*—continued.

acts?—I only differ with you upon the question as to the right. I have not the slightest doubt that in conducting those inquiries it would be to the interest of the committee so conducting the inquiries to seek for assistance from any of the outside bodies.

5384. In fact you would be glad of their assistance?—No doubt we should, on some points.

5385. But you may chonge your mind; is there any objection to making it clear that you shall not chnnge your mind, and that you should give us the right?—Yes; I think it would be extremely objectionable to make it a statutable right. I think it would be making the thing unworkable. It would take a very elaborate set of provisions to carry it out, if every one is to have a statutable right to attend. I think that that sort of thing out to be left entirely to the committee conducting the inquiry.

5386. I am not giving you the actual words, but I will suggest to you a clause, some such provision as this: That we should have the right to send a certain defined number of representatives from Middlesex and West Ham to attend all meetings of that committee with regard to any of the purposes defined in that clause, or with regard to any of the purposes defined in Clause 3, and that just the same notice and the same information should be given to us as to any other member of the committee; and we will make it quite clear, if you like, that we shall have no right whatever to interfere with the decisions of that committee. All we ask is the right to have the material to form a judgment upon, with a view of agreeing a Bill with you?—A right of attending the inquiry, if given to one authority, would have to be given to all, and it would make it, in my opinion, impracticable and unworkable if that right was absolutely exercised.

5387. I am not concerned for anybody but the county council of Middlesex and West Ham. You will agree they are two as important bodies as there are outside, will you not?—I agree that they are important bodies.

5388. Do you know that in the area of the county council of Middlesex there are 29 or 30 local authorities?—I daresay there are.

5389. Therefore if you get representatives from the Middlesex county council you would get rid of a multiplicity of inquirers from that side, would you not?—Yes; you have asked my opinion; it is a matter of opinion and I have simply given you my opinion for what it is worth, namely, that I think to give a statutable right of that sort would make the inquiry unworkable.

5390. Why unworkable; I understand your view about the length of such an inquiry, but can you suggest to me any other way in which it would be unworkable, except that by inquiries which we might suggest we should slightly prolong the inquiry?—As I have said, in my opinion it is a matter which ought to rest with the committee to decide. My opinion is that, and I cannot alter my opinion.

5391. You think you ought to be the absolute judges in the matter?—I think that that committee on that point should be opposed to a statutable right. There is not the slightest doubt about what they will do.

5392. I understand

Mr. *Worsley Taylor*—continued.

5392. I understand your view to be that it is exceedingly desirable that there should be an agreed Bill or Bills?—It is obvious that a Bill, if agreed, is far better, and there is much less expense than in the case of an opposed Bill.

5393. Taking the case of severance for instance: supposing it were arranged between you and any outside authority that that outside authority should have the control of the sources of supply, and should set up, to put it shortly, a supply for itself, do you think it is desirable that there should be a power with a view to that introduced into any Bill which you might promote?—Such a suggestion as that would be made to the committee, and they would see and investigate for themselves what force there was in it, and give effect to or negotiate with you for a settlement upon that or some other footing.

5394. And desirable if they came to the conclusion that they should have the power to promote such a joint Bill?—Yes. In fact I would ask this Committee to load any statutable committee with the very fullest and amplest powers. It is quite useless to fetter the Committee. Upon this big question they ought to have the very largest powers, if they are to do any good, just as in an arbitration you load your arbitrator with full powers.

Cross-examined by Mr. *Giles.*

5395. I will carry this matter a little further if you will allow me; you said in your evidence that the outside areas were entitled to every consideration and consultation?—Certainly.

5396. And you thought that a district local authority should go *parri passu* with the Statutory Committee; that I understand would be with a view to putting the Committee in possession of all necessary factsfor one thing; is that so?—Not only of facts, but I rather would encourage the idea that without being tied down the companies should be approached by outside bodies, and by the Statutory Committee as well; the one portion taking that which may be inside their area, and the local authority taking as a second purchaser, not through the council, but directly dealing with the company in respect of that portion which is outside.

5397. That amplifies the direct answer to this, that one object in entitling the outside areas to consideration, and admitting them to consultation, would be that the Committee would be in a position to obtain the facts concerning the areas; and it would go further, would it not, in that it would enable those outside areas to represent their particular interests to the Statutory Committee?—Yes, so that they might deal direct with the companies concurrently.

5398. So far as the outside areas are concerned, would it not be more to their advantage that they should be represented upon the Committee that is to do all this, than merely be consulted when it suited the Committee to consult them?—I have already answered that question several times. I think it would be inconvenient to have a statutory right so accorded to the local authorities.

5399. You said it would be inconvenient to the Statutory Committee; but I ask you whether it would not be more to the advantage of the outside areas that they should be represented than merely consulted?—I do not think so.

Mr. *Giles*—continued.

5400. I will put an instance to you then: the outside areas are now in possession of the water from the companies; and if this Statutory Committee is formed, and has power to acquire the property of the companies, with whom would be the question of fixing the price of water to be supplied to outside areas in bulk?—All that would have to be considered. I cannot tell you at the present time. That is a matter, as I understand, to be investigated, and would be one of those matters which the Committee would settle. At the present time it is impossible to come to a conclusion.

5401. By whom would that question be decided if the Committee is constituted with the powers you suggest; it would be decided by the committee, would it not?—It might be in the first instance of course by the Committee, but it would rest with Parliament to confirm it.

5402. Do you not think it would be fairer to the outside areas on such an important question as that involving their whole future water supply, that they should be represented upon the Statutory Committee in such a way that they could put their interests forward in the most efficient manner?—They will be, and I am quite sure that no committeee would come to any conclusion upon that point without the fullest investigation and inquiry, and after hearing what the local authority might desire to say; I am quite sure of that.

5403. You say they will allow it to be investigated; but it will rest with the Committee to settle the price, will it not?—In the first instance it will rest with the Committee, after hearing all the interests, to settle the proposal as to the price, certainly.

Cross-examined by Lord *Robert Cecil.*

5404. I want to ask you one question on behalf of the Hertfordshire county council. I understand you to say you think before the water authority should be bound to purchase or bound to enter into any agreement to purchase, there should be a full inquiry?—That is our view.

5405. It is suggested against you that that inquiry can only affect the price you will give for the water companies, and cannot affect anything else, and that for the purpose of ascertaining what price should be given the inquiry under the arbitration clause will be sufficient. I want to put this to you: in the arbitration the only people who would be represented would be the vendors, the company, and the purchaser, the county council; that would be so, would it not?—Yes.

5406. It is quite obvious, is it not, that in the purchase of these companies other people have a vital interest?—Yes.

5407. Take, for instance, the New River Company. Hertfordshire would be vitally interested in the question of handing over the sources of supply of the New River Company to a water authority which would be capable of supplying the whole of London?—Yes.

5408. Do

Lord *Robert Cecil*—continued.

5408. Do you not think it would be a much fairer plan that there should be an inquiry before any negotiations for purchase were entered into, upon which all parties interested could give evidence and could, if necessary, appear?—I think so.

5409. Such an inquiry, for instance, as would be held under a Royal Commission?—I agree with that.

Cross-examined by Mr. *Rickards.*

5410. I understand you object with regard to the purchase of the companies to impose any extra burden upon London?—No, I do not. It is the question of the incidence of how that burden is to be borne, which is quite a different thing. It is quite clear if you are going to purchase, money must be paid for it some how or other, but who shall pay it and how, and in about what manner it shall be raised, are quite different considerations.

5411. Both as regards the extra burden and as regards the incidence of it, will that question be any easier to settle ten years hence than it is at the present time?—I think it will be a great deal easier, because the question will be, no doubt, to a great extent probably solved by the report of the present Committee of the House which is sitting, and by the inquiries that we are making, or something of the same kind of thing. I do not doubt really that a question of that sort, which has been one of such long standing, will find some solution; I do not say what the solution is.

5412. Let us take one of your original propositions. You said that the burden on London for certain purposes was 40,000,000 *l.*?—Yes, the debt capital; that is the balance now outstanding.

5413. And you object to having another 40,000,000 *l.* put upon London by the purchase of the companies, do you?—No, I never objected to that at all.

5414. I understood you to say so?—I am sorry you misunderstood me. I never objected to that, but what I objected to was that by the present system if that was so put it would be put upon a particular class, and must be put in a particular way. My objection was raised to the incidence and to the putting of it in that particular form.

5415. Then you do not object to the ratepayers buying the companies?—Not after proper inquiry, certainly, or such of them as may be necessary. It is a matter of inquiry.

5416. We can hardly go back to that?—I think it has been before this Committee too long,

5417. You object to the way in which the taxation would fall, I understand you to say?—No; I say that there is this question, which is a very serious one, which is not yet solved, and it would be premature at the present moment to conclusively settle that question by simply leaving it under the existing procedure and provision for raising capital.

5418. Can you give me this one figure. What is the total expenditure of the London county council per annum? I do not think I have

Mr. *Rickards*—continued.

arrived at it; of course I mean including payments of interest on debts, office charges and everything else; can you give it to me approximately?—I can give it you in the pound the amount of rate levied. I have it here exactly. I can give you that if that will answer your question.

5419. What is it, please. Can you give me the total for the year?—It is 11·75 *d.*

5420. In money what does it amount to; what do you pay annually for interest on debts for office expenses and all other expenses or outgoings?—I cannot give you that figure off-hand.

5421. About; is it over two millions or under two millions?—I can tell you what is levied by rate. The rate levied to the 31st March 1892 is on an estimate of 1,581,398 *l.*, equal to 11·75 *d.* in the pound.

5422. Can you tell me at all by way of comparison what the total expenditure of the water companies is?—No, I cannot tell you that.

5423. Would you be astonished to hear that it is larger than that sum?—It might be. I know nothing about it. I do not pretend to know. I have no figures before me, and I cannot tell you.

5424. Would you think it a judicious thing to give a statutory committee power to expend a larger sum or to deal with the expenditure of a larger sum on water than the parent, the London county council, do as to all other respects?—I really do not follow the question.

5425. I suppose with regard to the figures that have been given by Mr. Wilkins, and confirmed by Sir Thomas Farrer, as to the increased market value of the companies being out of proportion to the fresh capital issued, would you agree that delay was to be avoided as far as possible?—It is a question Sir Thomas Farrer has dealt with more than I have, and I should rather refer to his evidence.

5426. There is a question as to the sinking fund. I understand your objection to the sinking fund is this, that it throws upon this generation a greater burden in respect to the purchase of water undertakings of companies than they can be fairly asked to bear. Do you follow me?—Yes.

5427. Is that so?—It throws upon a particular class the burden of paying for the capital for the purchase to the exclusion of another class.

5428. I would rather for a moment leave the class out; you are speaking there of the difference between owners and occupiers I suppose?—No; those whose reversions do not come into possession till after 1951.

5429. If you can, exclude that from your calculations for a moment; is your objection to the creation of a sinking fund in comparison with a perpetual charge this, that this generation will have to pay more than its fair proportion of the value of the undertakings that are purchased, and which will be a permanent improvement in fact?—A permanent improvement I apprehend ought fairly to fall on the permanent interest. If you do as is done in a small way in the housing of the poor, where you take a district and improve it, you have provisions for chargiug that by way of rent-charge in perpetuity upon the permanent interest that is benefited by the

Mr. *Riekards*—continued.

improvement. The broad principle I think is that all permanent outlay for permanent improvement ought to fall on the permanent interest. The occupying interest should pay the equipping interest. You have no such difficulty except in London, because practically London is the only town where this leasehold system and division of interest arises. In Scotland where you get the interest the owners are charged.

5430. Would not that objection be largely met or be met *pro tanto* by extending the period for the repayment by means of the sinking fund? —That might be; it is possible that that may be the solution. Figures have not yet been completed and I am not in a position to say that is the proper mode of solving it or which is the proper mode.

5431. Has not that question been met and dealt with by provincial authorities; can you answer that?—I cannot

5432. Has that question been faced?—I think not.

5433. Do you know the period limited by the Birmingham Water Act for repayment of the capital sum expended on the companies?—Yes, I think I do.

5434. What is it; 95 years, I think, is it not? —It may be. I have not the return with me at the moment, but I know this, that in some of the provincial towns it runs for terms of 120 years downwards, and in Bradford at the present moment they have 120 years time for repayment, and the difficulty there is not the difficulty which arises in London. In nearly all the northern towns lands are held on freeholds, and freeholds either in possession or occupation, or else upon the long 999 years term. But that is quite a different thing to London. In London land is nearly all held on the leasehold tenure of 99 years, and it is surprising when you have the figures before you, and know how London has been built on during the present century. It began with 133,000 houses in 1801, and there are now 530,000. Each 10 years have brought in a new set of terms, and it is that which creates the difficulty with regard to this question of redemption of the debt. London is singular.

5435. I am quite alive, if you will allow me to say so, to considerations of that kind, although you, of course, are in a condition to speak to it, and I am not. Do I understand you to admit that questions such as those under somewhat different circumstances have been dealt with by the local authorities in fixing the period within which the capital is to be repaid under a sinking fund?—I have told you that I do not think the circumstances are similar.

5436. Do you desire to be very tender to the occupiers in this matter?—I desire to be fair and just.

5437. You desire to be fair to them?—Yes.

5438. To put half the amount, for instance, upon the occupier?—I do not say any amount, because it may be that the scheme may not involve the repayment of the capital.

5439. You had to deal with the question to a certain extent under the Strand Improvement Bill, did you not?—I do not quite understand your question.

5440. You had to deal with that question, had

Mr. *Rickards*—continued.

you not?—Yes, as to raising capital for that particular improvement.

5441. Supposing the London county council buy those companies, you would throw the charge upon the county rate, I suppose, would you not?—That as I say involves consideration. whether you are to throw the repayment of the capital upon the county rate or not; and all those are questions and considerations which must be thought out, and a conclusion arrived at before the matter can be really dealt with.

5442. The county rate is the security usually given, is it not, when you raise money?—Yes, it is the only security.

5443. Supposing you bought a company that supplies water in the area outside the metropolis? —Yes.

5444. Would you make the county rate of London the security for the purchase of the whole undertaking outside and in?—I believe it will come to this; and I think it will be the best plan not to talk of guarantee, but to throw all water rates into the general receipts.

5445. Into the county rate?—Yes, make it all one account. Why keep it separate? We have to pay the deficiency if there is a deficiency; why hypothecate it, and keep it separate. However, that is a question which must be solved.

3446. Are all those questions which would be gone into on the preliminary inquiry?—Certainly they are. They are matters which we have already to a certain extent considered and had before us, and we have found these difficulties.

5447. Then you are not without experience in the matter at the present time?—We do not approach the thing absolutely without having made any inquiry.

Mr. *Lawson.*

5448. You have had the City inquiry?—Yes we have had the City inquiry.

Mr. *Rickards.*

5449. You have said with regard to outside authorities you think arrangements preferable to representation?—Yes, I do not know whether my term was a bad one, when I said *pari passu*; but I want them to march side by side with us and say, "We are ready to negotiate with you."

5450. Do you see any reason for having arrangement and representation; for making your arrangements with the representatives of the outside authorities?—I think I have answered that; I cannot answer it any further.

5451. Do you think it will protract the proceedings?—It may or may not; but there must be a discretion left with the statutory committee, and to give a statutable right for any one body to attend may lead to all sorts of abuses, and to prolong the inquiry. The statutory committee, if it is entrusted with other things, is certainly to be entrusted with that point of representation.

5452. You would not shut out the outside authorities from being heard at the inquiry, would you?—It is not likely.

5453. With regard to the New River Company I entirely agree with you, but can you tell me

Mr. *Rickards*—continued.

me how we are to distinguish at the present time what is water property and what is property outside?—As you know perfectly well the New River Company has two capitals; it has its King's shares and its Debenture shares, and in law certainly they are real estate. Whether those represent actually and entirely land or not I cannot tell.

5454. I am sorry to say we cannot either?—I daresay inquiry will elucidate it, and there will be no practical difficulty in making such distinctions, and leaving that company after inquiry in possession of its landed estates with which London does not want to interfere, and has no possible concern in, and deal only with the stock of the company which represents the water.

5455. That will be another topic for the preliminary inquiry, I suppose?—It must be inquired into; it is impossible, with the present materials to come to any conclusion.

5456. Do you not think a solution of that difficulty would be for the water authority to acquire the property first, and sell what they do not want afterwards?—Oh, no; why should they.

Mr. *Lawson.*

5457. With regard to what you have just said as to the inquiry, I want to ask you in what way a body such as the statutory committee would be able to obtain information from the water companies which they did not want to give?—Of course they would not; but with regard to a good deal of information, I have no doubt it could be ascertained even when they refused to give it; and I think also that if they refused to do it any Committee of the House dealing with a Bill brought forward which contained proposals which were based on the refusal of the water companies to give information, would deal with such proposals in a totally different way to any proposals put forward after such information had been given.

5458. Taking the New River Company and the distinction between their two kinds of property, it would be utterly impossible unless they were willing to furnish the particulars for the statutory committee or any other local body to ascertain the facts, would it not?—I do not know.

5459. How could they; they have no power to send for persons or papers?—I quite agree with that, but there is a great deal of information to be obtained. There are plenty of us who have bought and dealt in New River shares; we know the title, and plenty of persons who are shareholders now would have a right to get the information.

5460. A Royal Commission could, you think?—A Royal Commission I am strongly in favour of.

Re-examined by Mr. *Freeman.*

5461. I only want to ask two questions: first of all, as regards outside authorities, unless you propose to rate within their district, do you see any reason why they should be permanently on your committee any more than they are on the boards of the water companies?—No.

Mr. *Freeman*—continued.

5462. As regards the preliminary inquiries, do you desire by every possible means to have the local authorities present and assisting you when the question relating to them is before you?—Certainly.

5463. But you do not desire to render this Committee unwieldy in size by giving them direct representation upon it?—No.

5464. And you think no good effect would be gained by it?—I think not.

5465. You were asked whether, in dealing with water companies, in some cases it might be desirable instead of paying the money down to turn it into a perpetual rate?—Yes.

5466. You are doubtless aware in the case of the Glasgow Waterworks Company that that was bought upon perpetual annuities settled by arbitration?—Yes.

5467. And those annuities have since been paid, and the matter has worked very well indeed, has it not?—Yes.

5468. Do you consider in some cases that would be a desirabla course to pursue possibly in relation to the water trust?—It might be, but, as I say, the matter is all under consideration. We have had these precedents and problems before us. It is not a thing you can sit down at a table for half-an-hour, or indeed for several meetings, and arrive at a solution of the question.

5469. I may take it that all the various matters you have referred to before the Committee to-day are merely points which you desire to have investigated before you come with a final scheme?—That is all; we have no formal information at all at present.

5470. And as regards information from the water companies themselves, you expect that once you are in a position to negociate you will in a friendly way obtain the information in relation to many of the points you desire?—I think so. I think in that way the companies very likely will give us sufficient information.

5471. You have no reason to suppose there will be a hostile spirit displayed on either side, have you?—I cannot think that.

Mr. *Bristowe.*

5472. You have said a good deal about the burden there would be on the rates if these water companies are taken over; is it your impression that the rental of the water companies will be insufficient to meet the purchase-money; in other words, do you think if the county council were to take them over there would be any burden whatever imposed on the rates?—No; my point is that it is a burden in respect of the capital. The interest on the purchase-money will fall upon the rates; the expenses of working will fall upon the rates; but in addition to that you would be imposing a charge in respect of the capital which now does not fall on the water companies at all, because they have nothing to do with capital, and they do not make any charge except in respect of the interest. They have no repayment of capital, and if you are superadding to the water expenditure 300,000 *l.* a year in respect of the capital, you are burdening the rate *pro tanto.*

5473. Then your impression is that if you were to purchase these water companies at a

Mr. *Bristowe*—continued.

price to be fixed by arbitration, it would throw some burden on the rates?—It must——

5474. Do you think it will?—It must throw under the Statutes such a proportion of burden as is represented by the annual payment in respect of capital.

5475. But is it not possible that the additional revenue you would get would be sufficient to meet that capital?—Quite impossible.

5476. I think it is possible, but it is your opinion, is it not?—My opinion is that the additional burden could not be met out of the profit.

Mr. *Bolton.*

5477. Do I understand you to say, on behalf of the county council, that you do not wish any powers of purchase conferred until there is a revision of the principles and incidence of local taxation of London?—No, I do not; but what I say is that, as opposed to present purchase, which must proceed on certain existing statutable lines, it is inexpedient, and that power ought to be given to the statutory committee to solve that question as far as they can, and present to Parliament for confirmation hereafter.

5478. That comes to the same thing, does it not?—No.

5479. You do not think that the large question of the supply of water in London should be dealt with until after a revision of the principles and incidence of taxation?—Not until after, in order that the Committee may present a scheme to Parliament to deal with when they have the whole question, and the question of the incidence of rating, also before them. Then they will be able to decide it.

5480. Then do you think that concurrently with dealing with the water question, Parliament should deal with the principles and incidence of taxation in London?—No, with the incidence of this particular water rate, and it would be involved in the question of solving the form in which the rate is to be made. If, for instance, the system is adopted as in Glasgow, *cadit quæstio*, there would be no repayment of capital at all.

5481. Then it comes to this, that Parliament should prescribe how any liability incurred by the purchase of the waterworks should be borne at the time it authorises the purchase of these companies?—Not quite so; but should settle the form which the purchase is to take, and that form may be a form which would not necessitate the repayment of capital.

5482. That is to say, that Parliament should settle how the liabilities should be borne at the time it directs the purchase?—No, it may not, because it may adopt a form in which there may be no question of liability.

5483. But is not that settling the question?—Yes, in that way if you please.

5484. Why should not the Committee (I only ask the question) create the authority to purchase, give powers to purchase by agreement, and leave the question of future supply or additional supply to be dealt with hereafter, when the county council, having bought the property of the companies, and being in possession, and supplying London with water, acquire practical knowledge of the whole matter?—Because the question of purchase is absolutely interwoven with borrowed capital for the purposes of purchase, and I cannot think that any Bill or any set of provisions could be at this instant of time framed by anybody round this table which would be sufficiently satisfactory to keep open that question, because if you keep it open how is the purchase money to be raised.

Mr. *Bolton*—continued.

5485. You are confusing at the present time two things, the question whether the property of the present companies and their works should be purchased or not, and the way in which the purchase-money should be provided: are not those two separate and distinct questions?—I think not; I think they are very much interlaced, because if you give compulsory purchase you must give compulsory powers of purchase on some terms, or indicate how the purchase-money is to be raised. I cannot conceive a separation of the two. I do not see if you were to attempt to put it down on paper how it could be done. I am quite sure nothing of the sort could be framed.

5486. Do you agree that London ought to buy the works, mains, reservoirs, and general property of the water companies?—That is a very big question. It may be found after investigation that some of them it would be highly advisable to buy; it may be that all of them it would be desirable to buy, but I cannot form any further opinion than that which has been already given to you upon that point by Sir Thomas Farrer.

5487. Then do I understand you to suggest that the question should be practically adjourned in order that a Royal Commission may be appointed to inquire into the whole matter, and report in the meantime?—I do not; I think whilst these powers might be conferred on the statutory committee for the purposes limited in the suggestions that have been already before this Committee, concurrently with that it would be very advisable to have a Royal Commission prosecuting its inquiries as well.

Mr. *Lawson.*

5488. A double inquiry in fact?—Yes, concurrently. There are many points a Royal Commission would deal with in a much more satisfactory way, and I do not think those two inquiries would be inconsistent at all.

Mr. *Bolton.*

5489. Do you propose that we should create a statutory body with power only to make inquiries and also to advise the appointment of a Royal Commission?—With powers to introduce a Bill as the result of their inquiries.

5490. If the matter is one for inquiry and not for action, what object would there be in giving power to introduce a Bill?—As I say, power for inquiry and action; and I can well conceive that their inquiries may be materially assisted.

5491. But the county council and Corporation of London have powers, have they not, to make inquiries?—We have a very limited power to make inquiries under the Various Powers Act, limited to the expenditure of 5,000 *l.*, which I am sorry to say is already spent.

5492. Has

Mr. *Lawson.*

5492. Has that already gone?—It has gone; at least it is pledged.

Mr. *Bolton.*

5793. Does not your proposal come to this, that the whole question should be adjourned, and that in the meantime a statutory authority should be appointed, consisting of the county council and the Corporation of London, acting through their representatives, to make inquiries, and that a Royal Commission simultaneously should be appointed to inquire into the whole matter?—No, that is not my view.

5494. I must confess that was the impression you made on me by your evidence?—My view is, that there should be conferred also a power on that Committee to promote a Bill based on the result of their inquiries.

5495. But that presupposes inquiry, does it not?—Exactly.

5496. Therefore, these inquiries will have to be held first; the inquiry by the statutory authority and the inquiry by the Royal Commission? No; there are plenty of matters which can be inquired into which would be quite sufficient for enabling us, with powers of negotiation, to enter into negotiation with the water companies, and bring matters to a particular point. If we had powers to promote a Bill also for that object, we should not be met by the accident of time with regard to a particular period of the year, November, which requires the Notices to be issued and the Bill to be deposited. So that there would be no interruption of time at all, and it would be a great saving of time, in my opinion, if such a power were conferred on the statutory committee, and that concurrently there was a Royal Commission investigating these matters.

5497. Then I understand what you propose is that a statutory authority should be created with power to hold an inquiry, with power simultaneously to promote a Bill in Parliament, and that there is also to be at the same time a Royal Commission appointed, sitting to inquire into the whole matter?—I agree.

5498. Then in what order and what form would these various bodies proceed?—I apprehend that they would proceed without very great difficulty. The Royal Commission would certainly address itself to topics to which such a Commission would be more applicable, and which with their compulsory powers as to discovery and calling witnesses would be of use; and they are not likely, I think, to travel over ground which would be dealt with by this Statutory Committee at the same time. There is an immense deal of what I may call the unopposed portion of the inquiry, which may very well be left to the Statutory Committee, and the Royal Commission would deal more with those matters where information is difficult to get except by the aid of the Commission.

5499. But would you in this state of uncertainty promote a Bill to purchase?—Not until we have the inquiry, certainly not. I apprehend the Royal Commission would bring their inquiry to an end in the course of nine or twelve months at the outside; and if our inquiries are going on concurrently with those of the City, we might be able, at the conclusion of those inquiries, to introduce a Bill. Those inquiries might be concluded at a period when we had no statutory powers to introduce a Bill. Then we should have to wait until the period came round for applying again to Parliament to get the power to introduce that very Bill which the inquiries had led us to suppose was a satisfactory solution of the question.

Mr. *Bolton*—continued.

Mr. *Lawson.*

5500. Do you think the Royal Commission, as the result of their inquiry, ought to fix the principles upon which purchase should take place in default of agreement?—I hardly like to give a positive opinion upon that, because I have not consulted my colleagues; but my individual opinion certainly would rather incline that way.

5501. You think that the Royal Commission should take the place, to some extent, of the arbitrator, or at least should lay down the principles on which the arbitration should proceed?—Certainly, if the inquiry were made first before any such principle was laid down.

5502. You are the chairman of the Parliamentary committee of the county council. I believe it would be possible for the county council to introduce a Bill, so far as the forms of this House go, to deal with the water question providing there were something annexed to it which would bring it withing the powers of the old Board of Works for the improvement of London?—Yes; the power of the county council to promote Bills is conferred by a clause in the Metropolis Act of 1855; but that is limited to works. When the old metropolitan board promoted a Bill under that section, considering that water fell within works, they were surcharged as you know by the auditor, and in consequence, rather than litigate the question, the Government of the day offering it, an indemnity Bill was brought in which indemnified the Board of Works in respect of that outlay.

5503. But supposing there were some works clauses in the Bill, would it not be possible at any rate for the county council to do what other corporations have done, and to trust to getting their Bill through with an "Expenses" Clause?—I should think that merely water tacked on would leave it open to litigation as to whether that was within the meaning of the 42nd Section.

5504. The City could introduce a Bill?—Yes.

5505. And now that the City and the county council are in agreement, the city might do the work for the two bodies?—Yes, and more than the provincial towns and boroughs can; because they can go under the Borough Funds Act. But that Act is not applicable to London, because you cannot consult all the London ratepayers. You can consult the ratepayers of Manchester or Liverpool, and you can promote a Bill for water, but London cannot, simply because we have no Borough Funds Act.

Sir *Algernon Borthwick.*

5506. I would like to ask one question about the outlook of the unhappy ratepayer. If we deliver him from the water companies you tell me he will have to pay apparently the same rates with an addition of 300,000 *l.* a-year?—If it is

Sir *Algernon Borthwick*—continued.

done under the present system you cannot help that.

5507. We are providing therefore for his damage to that extent, and further hanging over him the prospects of an increased water supply as well?—No doubt, and that is why that system might not be the system adopted, which must be the system if you legislate at the present moment.

Mr. *Bolton.*

5508. Why should it not be a permanent water stock?—I quite agree if Parliament would sanction it.

5509. Is that the great difficulty in the way of dealing with it?—If Parliament would sanction that; but that would necessitate the alteration of existing statutes relating to the metropolis, Our

Mr. *Bolton*—continued.

statutes are General Public Statutes, the 1869 and 1875 Acts; and it would require an alteration of those.

Mr. *Lawson.*

5510. There would be no practical difficulty, would there?—There would be no practical difficulty if you turned it into a water stock and get it into a public Act; so that it would be lawful for the council to raise it by a public stock in perpetuity.

Mr. *Bolton.*

5511. Or suspend the operation of the Sinking Fund to the extent of the amount anthorised to be raised?—There are public statutes; and we cannot get rid of the provisions in those statutes of 1869 and 1875.

Mr. Alfred Henry Haggis, sworn; and Examined.

Mr. *Freeman.*

5512. You are the deputy chairman of the London county council, are you not?—I am.

5513. You are an alderman of the county borough of Croydon, and you have been actively concerned for many years in local matters?—Yes.

5514. You are very well acquainted with the steps which have been taken in relation to this question, are you not?—Yes.

5515. You are the gentleman mainly responsible for what I might call the business conduct of the county council; that is to say, its officers and the working of the committees, and such things?—I am.

5516. You have had to consider the question whether, if the committee of the county council and the corporation are constituted the authority, you will be well able to conduct the working of the water question, have you not?—Yes; I see no great difficulty in doing it.

5517. Do you think that the Committee will be perfectly able with a proper staff to work the matter satisfactorily?—Certainly.

5518. Do you consider that will lead to considerable convenience and saving in the expenses of management?—I should thing it would.

5519. You have had also brought to your consideration the question of the representation of outside bodies upon this Committee, have you not?—Yes.

5520. Have you heard the evidence which was given both by Sir Thomas Farrer and Mr. Charles Harrison, that wherever a company has to be dealt with that effects the interests of any particular local authority, that local authority should be consulted and advance *pari passu* with the corporation?—Yes; it would be our desire certainly to consult the wishes of the outside bodies.

5521. And you are perfectly willing to state publicly in that chain that every facility shall be given to those local authorities by consultation or otherwise to take part in the proceedings, are you not?—Certainly, it is our wish to meet their views as far as possible.

5522. But you consider it would be incon-

Mr, *Freeman*—continued.

venient that they should have a statutory seat on the committee as unduly swelling its size, do you not?—Certainly; and I do not think they would benefit themselves in any way if they had.

5523. As regards the question of the purchase of the companies, you have read the evidence of Sir Thomas Farrer as to the necessity of further inquiry into this matter, have you not?—Yes.

5524. Do you entirely agree with that evidence, and do you consider such inquiry necessary?—I do. I consider that it is most necessary before we can agree upon any terms of purchase with the companies as at present constituted to consider what will be the future wants of London in regard to water; as to whether any large capital expenditure is in the immediate future or not, and as regards future supplies.

5525. Although that is of course a very important question, do you think it is one which will lead to any great delay in finally dealing with the question?—No, not a great deal. It might delay the settlement for a year or two perhaps.

5526. Do you think in the end it would facilitate the final settlement of the question?—I do; and I think it would tend to the fair settlement of the question.

5527. Do you consider it very important that an authority should be constituted at the present time with those powers of inquiry, and with power to agree if they so can with the different companies?—I think it would be advantageous.

5528. It has been mentioned more than once that certain advantages might be derived from a Royal Commission; in respect of what matters do you think the appointment of a Royal Commission might be of use?—Mainly as to the necessity of a new supply, and as to where that new supply should be drawn from if required.

5528*. But as regards all questions relating to the companies, the basis of purchase, and the arrangements for purchase, you think the Committee should inquire into themselves?—I think so.

5528*. May I take it from you that if those powers are given the council are prepared at once to proceed with the inquiry, so as to bring a definite

Mr. *Freeman*—continued.

definite scheme before Parliament?—As soon as possible.

5529. Do you consider that those questions should be settled first by inquiry of the council, and then by the decision of Parliament, rather than being left to any board of arbitration?—I do. At present I think it would be very difficult indeed to lay down lines to guide the arbitrators as to the consideration of the compensation to be paid.

5529*. And of course, there being eight companies which have to be dealt with in coming to arbitration, only one could be dealt with at a time?—Quite so.

5530. But as regards those general principles which apply to purchase or dealing with all the companies, you consider those should be settled on the authority of Parliament, do you not?—Yes.

Cross-examined by Mr. *Cripps*.

5531. I still do not follow why you want the committee of inquiry first?—Before what?

5532. Supposing the water companies are to be purchased, you say the committee of inquiry would have to deal with the purchase question?—Yes.

5533. I still do not understand why you want a committee of inquiry first?—Before the purchase?

5534. Or before bringing in a Bill?—Because we say that if a large capital expenditure is to be provided for in the immediate future, that should be ascertained as far as possible before we consider and settle the terms of purchase of the companies.

5535. Let me follow that for a moment; all your witnesses, I think, assent to this, that purchase should be the first step. The capital to be required would depend on the terms of the purchase, would it not?—Yes.

5536. Therefore the first step before you can go into what might be a subsequent matter, inquiry as to capital, would be to ascertain what you have to pay?—We cannot determine that until we know what the value is of that which we have to purchase.

5537. And the value could be ascertained before some form of arbitration tribunal, could it not?—It would be affected very materially by the necessity of a large capital expenditure, in order to fulfil the duties which those companies have to fulfil.

5538. I suppose you have to take the purchase first; that would be the purchase of the companies at a fair value in reference to the present conditions of their undertaking?—We do not propose as a council to take purchase first.

5539. You do not agree then with Mr. Hill and the other eminent people we have heard, that purchase ought to be first?—I did not hear Mr. Hill's evidence.

5540. Do I understand you to say purchase ought not to be first?—Certainly.

5541. Can you give any case at all where water companies have been dealt with except where purchase has been first?—I have not gone into the matter of precedents.

5542. Do you also agree with what Mr.

Mr. *Cripps*—continued.

Harrison stated, that you are to have the statutory inquiry and Royal Commission going on at the same time?—No, I do not quite agree with that.

5543. What is your view upon that point?—My view is that on the large question of a new supply and as to where it should be obtained, that is a question which can be settled and determined better by a Commission rather than the council; but in all other matters this statutory committee I think would be the authority to consider it.

5544. Would you bind yourselves as a county council to adopt a scheme sanctioned by some other authority, for instance, a Royal Commission?—It is not for me to bind the county council in any way.

5545. You are here as representing the council, are you not?—Yes. Of course we should be very largely guided in the proposals we might make by the decisions and recommendations of a Royal Commission.

5546. Would you be prepared to adopt the recommendations of some outside authority, for instance, a Royal Commission?—I think we should. We should bow to a Royal Commission who gave an authoritative opinion on a matter of that kind.

5547. Would you consent to be bound by a Royal Commission also on the question of the terms of purchase as has been suggested, I think, by my learned friend Mr. Freeman?—I think we should certainly in that case; that is an independent and impartial commission.

5548. Then what becomes of your own view as to the statutory committee, and an inquiry when you have a Royal Commission which will bind you on the question of the future supply, and on the question of the terms of purchase?—We might be able without having this inquiry by a Royal Commission to come to terms with the companies.

5549. Taking it upon the basis of your evidence, what is the value of your statutory committee of inquiry if you are willing to accept the recommendations of a Royal Commission upon these points?—There are many other important points to consider besides the question of new supply and where it should come from. There are many points of great importance to consider in dealing with the case.

5550. Give me an illustration, will you, please?—The area over which they go.

5551. That is ascertained from the map; what else?—And as to the division of the area between the inside and outside authorities.

5552. That appears on the map; what else?—No, it does not. If the purchase was effected the question of how the outside area should be dealt with, and how the inside area should be dealt with, would arise. Then there are important questions as to the companies' plant; the plant that might be useful and that which might not be useful, the condition of it, and so on.

5553. With regard to the plant that is clearly a question of the terms of purchase; it cannot be anything else, can it?—Quite so.

5554. Then we can put that out of sight. Then it comes to this one point, namely, that the statutory committee of inquiry might consider

Mr. *Cripps*—continued.

the relations, as I understand it, between the outside authority and the central authority?—Yes; and also when they have the report of the inquiry which may be held as to fresh supply, they would consider the bearing of that report upon the value of the companies.

5555. Assuming a Royal Commission is to settle the principle of future supply, and the terms of purchase, surely the same Royal Commission must necessarily settle the conditions as between the central authorities and the outside authorities. It is a necessary incident, is it not. Could you settle the question of future supply or the question of purchase without considering the relationship between the central authority and the outside authority?—Certainly.

5556. How?—I should say the Royal Commission, or any inquiry of that kind which might be instituted, would only deal with the one point, of whether it is necessary to have a new supply for London, and, if so, where that new supply should come from. That is all they would confine their attention to.

5557. You have forgotten what you said just now. You stated that the Royal Commission could decide the question of future supply, and also the terms of purchase, and that you, the county council, would be prepared to accept that decision?—I do not think you asked me whether I considered they should do that.

5558. I asked you if the Royal Commission considered those two points, whether you would be prepared to accept their recommendations, and you said "yes"?—Yes.

5559. Taking that to be so, surely in considering the question of future supply, and in considering the terms of purchase, it would be necessary to consider the conditions as between the central authorities and the outside authorities. It is all mixed up together, is it not?—What I mean is this: that the Commission would report whether a new supply was necessary or not, and where that new supply if required should be derived from. That would be their report. Upon that report we should consider what would be the fair terms which London should pay for the companies under those considerations.

5560. Follow me again, please. Take the case of a Commission deciding the question of future supply, and the question of purchase, because that is what we have got?—Not of purchase.

5561. Yes, that is what we have got to, or if you think we have not, please assume that for a moment. What you said would be left for the statutory inquiry was the relationship between the inside authorities and the outside authorities. Then what I put to you is this: assume that one authority has to decide the future supply, and the terms of purchase, must not the same authority or the same Commission deal with the relationship between the central metropolitan authority and the outside districts?—Yes; but you are mistaking my answer. I certainly did not understand myself to say that the Royal Commission should inquire as to the terms of purchase, but only as to the new supply being required, and the source of it.

5562. Do you really suggest that our Committee, or Commission, is to consider the question of future supply, and another a different authority, is to consider the question of purchase?—Certainly; I can see no incongruity in that at all.

5563. Do you mean to say that the question of purchasing the existing companies can be separated from the question of future supply, and be consideren in a different way and by different authorities?—Certainly, if we have an authoritative statement from a commission that in the immediate future a new supply of water is necessary for London. That I say is all the information (coupled with which we are to get the source as well) that we need for considering this question as a statutory committee and dealing with it.

5564. Do you mean to say you would consider that question apart from the question of the present companies, their present condition, and the question of their purchase?—Certainly we could.

5565. At two entirely different and distinct inquiries?—I think the point to be considered by the Commission would be whether the Thames, the Lea, and the wells that are now used are sufficient in the immediate future for the wants of London.

5566. In your opinion, assuming for a moment that the Commission found the present supply, and the present sources was not sufficient, would that operate upon the purchase question or not?—I think it would as to the value of the companies' present undertakings.

5567. If that is your view how can you separate the two inquiries?—But the scope of the inquiry in the one case is to be defined and limited, and then the whole question of dealing with the cost, and dealing with the future supply of London should be left, I think, to the representatives of London.

5568. Would you undertake to consider the question of the future requirements of London entirely outside the present water companies, or their purchase?—I should.

5569. On the assumption that anyone came to the conclusion that there must be a fresh source of supply, ought that in your opinion to affect the terms of purchase?—I think so, because if the companies were to continue to supply London as they do now they must then incur very large capital expenditure in the early future, and tha large capital expenditure would not be remunerative at first, nor for a very long period, if at all. Therefore it would affect very largely the value of those companies.

5570. Taking your own answer that the one inquiry materially affected the other, tell me how you can separate them, and bring them before two different bodies?—Because when we have ascertained the result we should accept the result of the Commission, and then deal with it. I think the Commission need not certainly inquire upon any other points than those I have mentioned.

5571. In fact, you would limit in your favour the scope of the inquiry before the Royal Commission; that is what it comes to?—I would limit it to that one point or two points.

5572. What two points?—As to whether a new supply is necessary, and, if necessary, where it should be got from.

5573. And

Mr. *Cripps*—continued.

5573. And entirely take away from it the question of purchase?—Certainly.

Cross-examined by Mr. *Bidder*.

5574. I have one or two questions to ask you on behalf of the Surrey county council; assuming that a statutory committee, or body of trustees is to be appointed for the purpose of dealing with the London water question, is it not upon the face of it right that the Surrey county council should be adequately represented upon that body?—No; I do not see any reason why that should be so.

5575. Just consider; you, the London county council, ask for this statutory committee to be formed to consider the question of acquiring, amongst other things, the undertakings of the existing water companies, do you not?—Yes.

5576. In connection with that the ulterior question as regards the water supply of those districts arises; are you aware that as regards one of the largest of them, the Lambeth Company, nearly two-thirds of that company is in the district of the Surrey county council?—Yes.

5577. And as regards another, the Southwark and Vauxhall Company, do you know that about one-third of that is in their district. Now, with every respect for the London county council, is it not obvious that the question in relation to those companies is one in which the Surrey county council ought to have an equal voice and consideration?—It certainly is a matter in which they take, of course, a very great interest; and we, on our part, should be most anxious to consult them, and, if possible, to avoid having the responsibility of conducting the water supply in their district outside our own district.

5578. You, the London county council, are asking to be represented upon a statutory committee, because one-third as regards Lambeth, and two-thirds as regards Southwark and Vauxhall is within your ambit. Now surely equally upon any ground upon which you can ask to be represented on that body, the Surrey county council are entitled to ask to be represented, are they not? They are a county council like yourselves, and it is a question that affects their district as it affects yours. Why are you to assume the paramount position?—London has to deal with all the eight companies, not merely with the Lambeth and Southwark and Vauxhall Companies.

5579. But as a matter of fact you are going to deal with companies that are within the jurisdiction of the Surrey county council to a very large extent, are you not?—I have no doubt that the supply of those two companies is much larger within the area of London than it is outside, although the area outside may be much larger.

5580. What then?—Then I say London has a very much larger interest in those two companies than the outside area has.

5581. That may be a reason for your representatives being more numerous than those of the other district. I am only putting to you the question of principle. It is not obvious that on the same principle which entitles you, the London county council, to claim to be represented on such

Mr. *Bidder*—continued.

a body if created (I do not say to an equal extent in numbers), the Surrey county council equally in respect of the district they are interested in, ought to be represented?—We are entering into this matter——

5582. Kindly answer my question, am I not right in putting it that on the same principle on which you claim to be represented, equally in principle the Surrey county council have a right also to claim for representation?—No.

5583. Why?—Because we have to deal with eight companies; as I have said, we have to consider the matter as affecting a very much larger proportionate population than any other outside area has.

5584. Of course some of the companies I grant you we have no interest in, but I see in your own report to the Parliamentary Committee of the 17th February, there is a paragraph headed "Doubts;" doubts whether a commission or trust would be much improvement on the companies; I believe there is a good deal of doubt about that in the county council, is there not?—I do not think so.

5585. "Doubts whether a commission or trust would be much improvement on the companies?"—Not referring it to the council.

5586. In the course of that paragraph I find this: "The sole interest of a commission like that of the companies would be to show a margin of income over expenditure; any such margin would probably be applicable for reduction of charges for water supply. It is so expressly provided in the Metropolis Water Bill," and so on. "In short the commission would be representing the consumers of water throughout the whole area of supply"?—That is the case of a commission and not the local body. If a commission were appointed as this Bill proposed, that commission would have nothing to do with the rates of London, but if they had a profit they would reduce the charge for water.

5587. I am not going to discus questions of rates; one of the matters that you want this statutory body or committee to consider would be the question of whether you are going to purchase and how you are going to deal with the Lambeth and Southwark and Vauxhall Companies; this is so, is it not?—Yes.

5588. And the Surrey county council represent the consumers of those companies as regards certain parts, just as much and in the same sense that you, the London county council, represent the rest of their consumers?—Their rights might be reserved in the Act.

5589. Why are not their rights equal to yours at every stage of the proceedings; they represent part of the consumers, and you represent the other part; what business have you to come and say you are to deal with those rights without giving them an opportunity of discussing the matter?—It would complicate this Committee and render it unworkable if all the outside local bodies were represented. There is an enormous number of them.

5590. Popular representation is always more complicated than an autocracy; however, that is all you have to say?—It would make it unwieldly and unworkable, and would be no real benefit.

Mr. *Bidder*—continued.

5591. Now one word for the Southwark and Vauxhall Company whom I represent; there is no question whatever, if you are going to do anything towards the establishment of a water trust, that you have to buy the water companies?—Is that a question?

5592. Yes, it is?—I have no doubt we shall have to buy them.

5593 There can be no doubt of it, can there?—I say I have no doubt we shall.

5594. You want no statutory body to come to that conclusion, because that is on the face of it?—I say I have no doubt we shall; what we want to do is to find out what is the proper value to pay for these companies.

5595. And the usual and only way that one can suggest to find that out, is by referring it to an impartial tribunal, is it not?—We want information.

5596. Forgive me; the only way to find out and determine between you, the buyer and the seller, the Southwark and Vauxhall Company, what you think the price to be paid is, is to refer that to an impartial tribunal?—When we have sufficient information to do it.

5597. You will get all the information?—No, we have not got it.

5598. Assuming that you make up your mind, you will go forward with this water trust; you have to buy my company, if you have not agreed terms with them the usual proceeding will follow; I suppose that you will go to an arbitrator who will have to settle between you with full knowledge of the facts and all information to settle what the proper price is?—All information and all facts, yes.

5599. Then you do not want any statutory power, or anything of the kind, to enable you to make up your mind whether you are going to establish a water trust or not, do you?—We want to know what the future liabilities of the Southwark and Vauxhall Company will be.

5600. You do not want to know that until you have made up your mind to buy them, and when you have made up your mind to buy them you will get it without any statutory body, because the arbitrator will make them disclose it all?—I say the facts are not sufficient for an arbitrator at the present time.

5601. They will be when you come before him?—I mean with regard to their future liabilities.

5602. Do you suggest you want a statutory committee in order to collect facts for the arbitrators which they could not collect themselves by evidence before them in the usual way?—I say evidence brought forward in the usual way would not be sufficient at the present time for the arbitrators to act upon.

5603. What do you think you, by means of a statutory committee, would be able to get in the way of evidence that an arbitrator would not be able to get?—I am thinking now of a Royal Commission, or a Commission.

5604. Do you suggest a Royal Commission; that is something different from your statutory committee?—Certainly.

5605. Do you suggest that the information which is to be collected either by your proposed body or a Royal Commission is to precede and take the place of evidence before the arbitrator?—I say it is to assist the arbitrator.

5606. He is to accept it as evidence, is he?—Certainly, from a Royal Commission.

Mr. *Bidder.*] Very good; that is rather a novel suggestion.

Cross-examined by Mr. *Giles.*

5607. Do you suggest that the statutory committee should have the power to make full inquiry, and that the same statutory committee should afterwards have control of the whole water supply?—Yes.

5608. The same statutory committee?—Yes.

5609. You said that in your opinion no real benefit would accrue to any outside areas by being represented?—I thought not.

5610. I suppose I am right in assuming then that it would rest entirely with the statutory committee to decide the questions of price and quantity of water that each outside area would obtain?—No, that would have to be omitted in an Act of Parliament.

5611. Would the outside area have to appear in opposition to that Act of Parliament if they were not fairly treated?—Quite so, certainly.

5612. If they were represented, say, for instance, upon a statutory committee that was to deal with the question of inquiry, would it not obviate the necessity possibly of having to appear and oppose an Act of Parliament?—I do not think any difficulty would arise. In the view of the council, we wish to meet these outside bodies to the fullest extent.

5613. I understand in consultation, and with every consideration. Is it not fairly obvious, that their interests would be best consulted by allowing them a voice and representation?—I do not think so, because each outside body, if they sent one member to that committee, would be in a very small minority of the whole, and therefore would have very little power and authority there.

5614. But they would be in a position to ascertain the whole of the facts, and the bases upon which the price was to be assessed, which they were to be charged in bulk, would they not?—We shall be glad to give them that position as far as information and facts are concerned, and giving advice outside the Committee.

5615. You think then it would be fair they should be entirely at the mercy of the London county council for the information given them and for their future treatment?—I would not say at the mercy. We should deal fairly, of course, with them.

Cross-examined by Mr. *Rickards.*

5616. Do you suggest that one of the objections to the representation of outside authorities on the statutory committee would be that it would swell the size of the statutory committee?—That is one objection.

5617. Do you not think the outside authorities could be represented on a statutory committee of 48, such as you suppose, without adding to the number?—No; I should think not. There are so many outside bodies, I do not remember how many,

Mr. *Rickards*—continued.

many, but there are so many that they would have to amalgamate together in order to send a very few members, and their interests might conflict possibly. Therefore they would desire to send separate representatives possibly.

5618. I understand your position with regard to the size of the statutory committee is that you suggest it should be 48; but you do not bind yourselves to 48, provided the number is divisible by eight; is that so?—We think it might be less than 48. I have always thought 48 is too large a body; but still it is a suggested number.

5619. You will admit for what it is worth that, having representatives on the statutory committee, outside authorities would not necessarily increase them numerically in size?—I think it would.

5620. It would not necessarily make you exceed any given number, such as 48, would it?—I should say it would decidedly. If each outside body is to send a representative or representatives, and London is to be fairly represented also proportionately to the outside bodies, it would make it a most unwieldy committee.

5621. Supposing London was to get four-eighths, Corporation one-eighth, and the outside authorities three-eighths?—Then London would have very much less than its proper share.

5622. But you would be able to outvote the outside authorities?—That is not the point; we do not wish to outvote them.

5623. And you would hear their views?—We are quite willing to hear their views, and should do so, whether they are on the Committee or not.

5624. One question as to the Royal Commission, without going over the ground again; supposing the Royal Commission felt bound to report, after a long inquiry, that a statutory committee is not what would meet their views, and that they would prefer the constitution of some other authority, would you be willing, on behalf of the London county council, to accept that and withdraw your statutory committee?

Chairman.] No one suggested such a question as that should be referred to them.

Mr. *Rickards.*

5625. Am I right in this, that a statutory committee could do nothing as to the purchase of the companies until the Royal Commission had reported?—I do not say that. It might be that we might be able to come to terms with them without the Report of the Commission.

5626. Your coming to the terms to which you would be willing to come would be governed by the Report of the Royal Commission, would it not?—The water companies themselves might recognise the fact that a new supply was impending, and they might meet us in the matter with regard to terms.

5627. Exactly, and so they come under the Bill, can they not; there is a power of agreement first?—Yes, but there is a power of compulsory purchase besides.

5628. Failing agreement?—Yes, within two years.

5629. You follow me; that if the terms upon

Mr. *Rickards*—continued.

which you are to purchase by compulsion are to be dependent upon the Report of the Royal Commission, the terms which the London county council would be willing to accept from the companies would be also dependent on the views of the Royal Commission, would they not?—Quite so.

5630. And in either case, therefore, you would have to wait for the Report of the Royal Commission?—Unless, as I say, the companies and ourselves could agree as to terms beforehand.

5631. I do not think you quite follow me. You do not lean to the alternative of regulating the companies, and not buying them, do you?—No.

Re-examined by Mr. *Moulton.*

5632. I am not quite sure that some of my learned friends quite comprehend the proposal. As I understand you think the London county council should inquire and propose a Bill in Parliament for the settlement of all these matters. Do you think that the statutory committee would be really assisted in formulating a plan by having the help of the outside districts?—I do not think so.

5633. You would propose whatever plan they arrived at should come before Parliament?—Yes.

5634. And that the outside districts should be fully heard thon. Now the ultimate scheme is, I believe, that so far as possible outside districts should have autonomy in water supervision, is it not?—That is our view.

5635. It is a mattery very much of negotiation and arrangement. Do you think it would make it an impracticable body if you had representations of the smaller interests in that way?—I do decidedly.

5636. Could any injusticc be done if they had a right to be heard on the scheme as proposed?—I think not.

5637. With regard to knowing the facts, I presume almost all the acts of the London county council are all public, and the proceedings are published, are they not?—They are.

5638. Would there be any difficulty in obtaining the fullest information with regard to water questions on the part of outside authorities?—None whatever that I can see.

Mr. *Lawson.*

5639. I understood you do not agree with Mr. Harrison as to the scope of the Royal Commission?—No.

5640. Which of you is speaking the mind of the council upon this point?—I think I am. I think Mr. Harrison could not have understood clearly what the Committee were asking him.

5641. And you only want an *ex parte* commission to inquire into the necessity for and the nature of a supplementary supply?—And the source, that is all.

5642. But you do not think it ought to examine into any points in the existing supply?—No, I think the Statutory Committee representing the ratepayers of London would be the proper body to deal with all those points.

Sir *Henry Roscoe.*

5643. But such a commission would have to inquire into the quality and quantity of the present supply, otherwise they would be unable to give any decision?—Quite so.

5644. So far, therefore, they would have to inquire into the existing sources of supply?—Quite so. We think that is rather a larger task than a Statutory Committee should undertake, and perhaps they would not have sufficient authority to carry their recommendations through, even if they did.

Mr. *Bolton.*

5645. But if you are all agreed that you have to buy the water companies, why should you not take powers to negotiate for the purchase of the water companies as they exist and power to buy by agreement, and why should not Parliament create a tribunal to deal fairly with you and fix a fair price if you cannot agree?—Because I think it enters into the elements of value very much as to whether 10,000,000 *l.* or 15,000,000 *l.* in the immediate future is required or not for the water supply.

5646. Why should not the tribunal that settles the value take other elements of value which you describe as elements of value into consideration?—Because it has not been authoritatively declared that it is requisite.

Mr. *Bolton*—continued.

5647. That what is requisite?—This new supply.

5648. But the supply at present is meeting the requirements of London?—At the time it is, but evidence has been given to show the large proportion of water taken from the Thames in the summer to the full flow of the river.

5649. Would you not, if you acquire the works of the present companies and enter into the actual supply of water to London, gain experience, and by practical experience be enabled to consider whether the supply was adequate, and whether any additional supply was requisite?—We might be gaining this experience, but we might be confronted with the expenditure of 10,000,000 *l.* or 15,000,000 *l.* within a few years after the purchase of these companies.

Mr. *Lawson.*

5650. The only thing is that this inquiry might be a double-edged weapon. If they said the supply was adequate for a considerable number of years, and not so defective in quality as to require any material alteration that might tend to raise the price against you?—I should be satisfied as one, to abide by that decision.

Mr. *Freeman.*] I should like for a particular reason to ask Mr. Deacon one question only.

Mr. GEORGE FREDERICK DEACON, sworn; Examined by Mr. *Freeman.*

5651. YOU are a member of the Institute of Civil Engineers?—I am.

Thursday, 18*th June* 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, IN THE CHAIR.

Mr. GEORGE FREDERICK DEACON, re-called; and further Examined.

Mr. *Pember.*

5651. YOU told us yesterday that you were a member of the Institution of Civil Engineers?—Yes.

5652. And I believe you have been practising for a period of 26 years?—That is so.

5653. During that time you held for the period of eight years the office of borough engineer for Liverpool, did you not?—Yes.

5654. And for 19 years the office of engineer of the Liverpool waterworks?—That is so.

5655. Which I believe you resigned at the beginning of last year?—Yes.

5656. You have been for some time and still are engineer of the Birmingham waterworks, I think?—That is so.

5657. And you are engineer of the Vyrmny waterworks for the supply of Liverpool with water?—Yes, from the River Vyrmny, in Montgomeryshire.

5658. Liverpool is a very large instance of a central municipal authority supplying water not only to its own area but to outside districts, is it not?—Very large.

5659. Will you kindly give the Committee particulars of the population and area supplied by Liverpool?—In round figures the total population supplied with water at present by the Corporation of Liverpool on compulsory terms is 800,000, of which three-fourths, that is 600,000, are within the city.

5660. What is the area supplied?—The area within the city is 5,210 acres; and without the city, 64,345 acres; that is to say, the compulsory area of supply without the city is rather more than 12 times that within the city. In addition to that the corporation obtained under a recent Act power to supply water by bulk or otherwise by agreement to any places within 20 miles of either side of Vyrmny aqueduct, and within 40 miles of either side of the Rivington aqueduct. In round figures I may say that that adds 445 times to the area of the city within the municipal boundary.

Sir *Henry Roscoe.*

5661. Can you give us the number of inhabitants in that area?—I am afraid I cannot; it is little difficult to obtain. With respect to the Vyrmny aqueduct, the area is 2,600 square miles or more, that is 1,664,000 acres; and with respect to Rivington aqueduct it is 1,000 square miles, or 640,000 acres.

Mr. *F. W. Pember.*

5662. In your experience of the working of the supply by the cental authority of Liverpool to the outside districts, as well as to the municipal district, have you found that the supply has been uniformly worked without friction, and with general satisfaction to both inside and outside districts?—Certainly; generally speaking, it has. The only exception to a satisfactory and peaceful working has been removed now. The borough of Bootle, adjoining Liverpool, has sought for some time past representation on the committee of the city council, and that has now been conceded them. They have two representatives now, and those are the only two representatives of the outside districts. The borough of Bootle was somewhat differently placed from the other people. It is a trading place, and they had some causes of complaint possibly, on the ground that the water was not supplied through quite such large mains as it ought to have been, and that other facilities were not given which were enjoyed within the city. They did not pay so much as the city, and those facilities were not given on that account. When the facilities, the want of which they complained of, were given, they had to pay the same as those within the city, and now they are on precisely the same basis as the city.

5663. Do the representatives of Bootle vote?—Yes, they vote in the committee, but of course they have no vote in the council.

Mr. *Lawson.*

5664. They are not members of it?—No.

Mr. *F. W. Pember.*

5665. The central municipal corporation take power to go into the district of Bootle, which is another municipal authority, to levy a rate; is not that so?—Yes, it was the only borough in which they had to levy a rate.

5666. With the exception of the difficulty with regard

Mr. *F. W. Pember*—continued.

regard to Bootle, which, as you say, has now been removed, the whole system has been found to work absolutely harmoniously, has it not?—Absolutely.

Cross-examined by Mr. *Cripps.*

5667. Has the full burden of the Vyrmny expenditure come upon the Liverpool rates yet?—Yes.

5668. The full burden?—Yes, I think so; I think I am right in saying that. Perhaps you will explain to me a little further and let me see what you are pointing to.

5669. Of course the full rate of the Vyrmny expenditure would have to come on the Liverpool ratepayers and water consumers, after the capital outlay has been settled?—Yes.

5670. Has the full burden come upon Liverpool at present?—Yes, I think so; I may say I am sure it has; I cannot conceive in what way it can be otherwise. Until two years ago the interest on the capital expenditure for the Vyrmny undertaking was entirely paid out of the rates. The increased population was supplied with water by means of savings made within the older districts, and the revenue from that source was sufficient to meet the payment of the interest on the capital expenditure up to 1,800,000 *l.*; 1889, I think, was the first year the rent was increased 1½ *d.* in the £., and that has sufficed since to pay the interest on the remainder up to the present date.

Mr. *F. W. Pember.*

5671. Will you allow me to ask this one question: as an engineer, does it occur to you that there would be any practical engineering difficulty in applying the system which has been found to work so well in Liverpool to London and the districts forming the area of the water supply?—What system do you refer to?

5672. The system of a central municipal corporation?—No difficulty whatever.

Mr. *Cripps.*

5673. Let me ask two questions upon that; there are two questions with regard to Liverpool as we know, first of all a supply from the line of pipes between Vyrmny and Liverpool, and then the supply by the municipal authority at Liverpool to certain outside districts, is not that so?—Yes.

5674. As regards the supply from the municipal authority at Liverpool to outside districts there has been considerable friction has there not as regards the rates charged and matters of that kind?—Arising I suppose you mean from the desire of the Liverpool Corporation to extend their boundaries.

5675. Yes?—They were opposed and a great deal of evidence was given at that time, but I do not think it related to the water undertaking.

5676. Are you not perfectly well aware that when Liverpool sought to extend its boundaries it was on the very basis of the heavy obligation it had undertaken as regards the Vyrmny scheme, and it was on that very point the outside authorities objected to being incorporated?—That was put forward as a good reason, and I think it was a good reason.

Mr. *Cripps*—continued.

5677. The Committee as you know rejected the suggestion of Liverpool to incorporate these outside districts, did they not?—I think they did.

5678. As regards the other point of the supply along the line of pipes I think you got that power in 1889 did you not?—Yes.

5679. How much water do you supply at the present time under the powers of your present Act?—We are only this week supplying the first few drops of Vyrmny water to Liverpool, so we have not begun to supply outside; but I may say we have made arrangements with a great number of outside districts.

5680. I am sure will answer this as shortly as you can. In reference to the question my learned friend put to you, you have no practical experience at the present time at Liverpool as regards the supply of water along your line of pipes to the outside districts; because you are only just now bringing water for the first time?—Quite so.

5681. Have you quite completed the works under the River Weaver in connection with the Liverpool supply?—Quite.

5682. At the present time how much water are you supplying in Liverpool from Vyrmny?—As far as I know, not one drop. I am expecting a telegram daily, almost hourly, to say the water is going into the Prescott reservoirs. It is on the move towards the Prescott reservoirs at the present moment; it has crossed the Mersey, and is about half-way up to the Prescott reservoirs, going very slowly, because it is very dirty.

5683. How long is it since you yourself have been connected with the Liverpool Corporation as their water adviser?—Twenty years.

5684. You are now in London, are you not?—Yes.

5685. How long is it you have been working for them?—I ceased to be the water engineer of Liverpool at the beginning of last year, but I am the engineer to the new undertaking now.

5686. We all recognise that: were you the water engineer for Liverpool at the time they initiated the Vyrmny scheme?—Yes; I projected it.

5687. At that time was the Liverpool Corporation the water-supplying authority in Liverpool?—Yes.

5688. Are you aware of the conditions under which they became the water-supplying authority at Liverpool?—Yes.

5689. When was that?—In 1846. Up to 1845 Liverpool was supplied by two small companies. In 1846, I think I am right about the year, the highway commissioners sunk a well for the purpose of supplying water for sanitary purposes and for extinction of fires. In that same year, I think it was, the corporation obtained powers to purchase the companies; and in 1847 the companies were taken over, and this Green Lane well also.

5690. Was it the first step which the Liverpool Corporation took to purchase the old companies?—Yes; after obtaining powers to do so, of course.

5691. They obtained Parliamentary powers, as of course they must do, and then the first step was

Mr. *Cripps*—continued.

was to purchase the old companies?—That was so.

5692. From your experience, is not that the fair principle on which to start as a first step?—I certainly think it was in that case; but I do not think you can draw conclusions with respect to that particular matter in reference to London, because they were two exceedingly small companies, only supplying water for a few hours on three days in each week.

5693. I did not suggest that; perhaps you would simply answer my question: in your opinion, and from your experience in these matters, ought not the first step in introducing a municipal supply to be the purchase of the old companies?—After thorough inquiry has been made I think that is so.

5964. I will deal with that in a minute; the first step you consider should be the purchase of the old companies, do you not?—That step should not come before everything else, I think. The purchaser must be in a position to put the facts before the arbitrator, and the arbitrator ought to have power to say whether or not the whole of the companies need be purchased. I put that as an example; but there are many other points which require long investigation.

5695. I will deal with the matter of investigation in a moment; but do you agree, after investigation, the first step should be the purchase of the old companies?—The purchase of those companies which it is decided to purchase.

5696-7. Would you leave the question to an arbitrator as to what company should be purchased and what should not?—I think it should be first examined by the authority about to become the water authority. I think the whole question requires very mature examination at the hands of that authority.

5698. Now let me ask you another question: Do you think a competing scheme should be in any case allowed before purchase by a muncipal authority?—Not in the present condition of affairs. But I do think that if, what I cannot conceive to be possible, great difficulties did arise in connection with the purchase of the companies at a reasonable price, then it is practicable. I cannot conceive that such difficulties will arise; but I would not say that it is out of the question to introduce a competing scheme.

5699. Assume that any tribunal originally dealing with this matter would make it a condition that the purchase should be on fair terms, which I will not discuss now, do you say that competition should be allowed before the purchase?—No, certainly not; I think the companies should be properly paid; but I think the arbitrator should be limited on certain points.

5700. Let me ask you another question as regards this investigation or inquiry. I assume any prudent and corporate body, before coming for compulsory powers, would have to consider such a question as taking over a water supply?—Certainly.

5701. And I will assume that has been done, and ought to have been done, in your opinion, in these numerous cases where corporate bodies have come and taken over water companies?—Yes; but they are much lets complex physically than this case.

Mr. *Cripps*—continued.

5702. That being so, and it being the fact that everybody coming has to make up their mind, and consider the question, why should there be a special Committee of inquiry or investigation here. I will assume any purchaser coming?—Are you speaking of the proposed committee of the council?

5703. Never mind about the particular form of it. Assuming that any prudent purchaser would look into the matter before he actually completed the purchase, and assuming that has been done in the case of all other corporate bodies, why do you say there should be a special committee of investigation or inquiry with reference to London?—Because, as I said before, having regard to the fact of their being eight companies, some of which certainly, perhaps many of which, if amalgamated, might be worked under much more economic conditions, and having regard also to the fact that in one case, at any rate, only a small proportion of the whole supply of the company is within the boundary of the county council, I think very mature consideration is necessary which has not been necessary in such cases as Birmingham, Liverpool, and Manchester. There there is no question about purchasing the whole of the companies.

5704. Let us take the two points you have mentioned, and keep them distinct. First of all, as regards the outside authorities, I understood you said, in reference to Liverpool, that that had been satisfactorily arranged?—Yes.

5705. Satisfactorily arranged by the corporation in the ordinary way, bringing forward a proper scheme and considering the matter when they came to purchase the company?—Yes.

5706. So much for that point; as regards the other point, if the arbitration is on fair terms, which of course we assume, that is to say, as to price between the corporate body and the company, what need is there for investigation except before the arbitrator or the arbitration board?—I think the county council, in order to prepare their case to place before the arbitrator, certainly require 12 months at the very least.

5707. I agree with you; we all know they have nothing at the present time; we all agree that the county council ought to consider their case; their is no question about that; give them 12 months, or three years, I quite agree, but why should they not consider their case like other corporate bodies, and then bring the scheme forward?—I do not know why they should not, if the power is given to them to do so. I suppose they have power now to consider the case, but they have not power to expend money. If proper powers are given them, I do not know why they should not consider their case and bring it before Parliament or otherwise, if it is conceded they are the proper authority.

5708. And, taking that view, what I understand you mean by inquiry, and what I understand the county council mean by inquiry, would be an inquiry for the purpose of lessening price and anything else?—No; not necessarily so.

5709. What else?—Allow me to give you an example: I am not suggesting, for instance, that the East London Company should not be pur-

Mr. *Cripps*—continued.

chased and become part of the authority, but i is quite conceivable the East London Company might continue to be worked as a company, as it is at present, or even that there might be a division of the East London Company, because considerably less than the half their area is within the boundary of the county council. That being so, it would be a question of a diminution of purchase-money, but simply a matter of convenience, which probably the East London Company themselves would fall in with.

5710. Possibly, but that is just the kind of point which had to be decided and settled by Birmingham and Liverpool, and was so decided and settled when they brought their scheme in, was it not?—No, I do not think it was, because in all those early cases I think you will find the supply of money was insufficient as regards the area of supply, and insufficient as regards the quantity. It was all wanted, and the whole area that it covered was wanted, and no question of that kind arose. The complex nature of the London question in that respect is very great.

5711. Do you suggest as a difficulty here that the water companies have too much water; because that is what your answer comes to?—Certainly not.

5712. Then what is the difficulty. Your suggestion is that it was not necessary in the case of Birmingham and Liverpool, because all the water was wanted. Do you say all the water will not be wanted here? that is your answer?—I know it is, but that is not my conclusion.

5713. Now let us come to the details. Do yon say all the water will not be wanted here?—I think it will be all wanted if it is good.

5714. Then what is the difference between this case and Birmingham and Liverpool on your own answer?—There can be no question that in the cases of Birmingham, Liverpool, and Manchester, it was politic and desirable to purchase the companies as they stood. because the limits of supply which they give were well within the limits of the population governed by the city council in the first instance. That is not so in London. The case is entirely different. I believe in Liverpool there was no supply whatever, except possibly in the case of Bootle, outside the limits of the municipal boundary at the time the waterworks were taken over.

5715. Do you say the same as to Birmingham, I think you are inaccurate both as regards Liverpool and Birmingham?—I am not inaccurate as regards Liverpool.

5716. How about Birmingham?—Possibly on the line of main from some of the Birmingham wells at the time it was purchased there was supplies. I have no doubt there were, but that was a single main leading from a single well to a central community, and of course it was natural that the supply should be continued to the people along the main. The company could not have been purchased at all if the supplies had not been continued, that is obvious. But supposing Birmingham had been supplied by three or four different companies, some of which only just touched the municipal boundaries, or entered them, it might then become a question whether those companies should be purchased.

5717. Then, as I understand you, your idea

Mr. *Cripps*—continued.

of the preliminary inquiry is whether a certain company should be purchased at all or not, or whether only a portion of it should be purchased, is that so?—I think that should be left open (I am not prepared to express an opinion about it at present) to the county council to consider.

5718. Does it not all come back to this, that before you can discuss a question of this kind as brought forward by a corporate authority or county council, the corporate authority or county council must have thoroughly considered it first?—Before purchase?

5719. Before bringing any scheme forward?—Certainly.

5720. Which as we know the county council have not done yet?—They have not got a scheme; they would have considered it no doubt if they had a scheme to bring forward.

5721. In reference to the London water supply I will read what you said, as reported in the Journal of the Society of Arts: "Mr. Deacon having been called upon to reply" (in a discussion upon this question on the 17th May 1882), "said the average supply in London was about 35 or 36 gallons per head per day over the whole metropolis, and it was perfectly obvious from what had been already done that there could be no difficulty in reducing it to 20 gallons." I will show you the passage if you like?—I accept that. When I say I accept it of course I mean to say I accept that you read it correctly.

5722. Do you want to make any explanation about it?—No, substantially not. I might alter it in a few figures. On further consideration it may be I should put the 20 gallons a little higher, but I am not prepared to say yet that I should. I would not say that 20 gallons is absolutely sufficient at the present time, but it is not very far wrong.

5723. Of course if you were right that would give a 75 per cent. margin at once to the water companies, would it not?—No, because the London water companies, greatly to their credit, have reduced the consumption below the figures I then stated.

Chairman.

5724. Is the Committee to understand that that reduction would be affected by constant supply being introduced?—Concurrently with constant supply; not by reason of the constant supply but concurrently with it, the methods which would enable one to introduce constant supply, or rather which would enable one to prevent waste would be indirectly affected in producing constant supply.

Mr. *Cripps.*

5725. May I ask one question on that, did you say the saving would be concurrently with constant supply?—You cannot introduce constant supply until you have saved the water which would flow away to waste during the hours of supply that are not now given.

5726. I mean the reduction you were speaking of would be brought about and would be possible at the same time you were giving constant supply?—The two things would be done concurrently, and in many districts it has been done already, and I think great credit is due to the companies for having done it.

5727. I think

Mr. *Cripps*—continued.

5727. I think it has always been your view that there is an economy in constant supply accompanied, of course, with proper fittings and proper conveniences, has it not?—If you turned on an intermittent supply for districts in London at the present time, those districts will take an enormous amount more water, but if you put the fittings and mains into proper condition first, and then give constant supply, you may do so with a considerably less supply than the intermittent system requires, and give it to the people quite constantly under high pressure, and expend less water.

5728. By giving constant supply and fittings of the best character, you really get a saving in the amount of water?—Yes.

Chairman.

5729. What do you es-imate that saving at?—In Liverpool we began with 29 gallons per head per day on intermittent service. That was including water for every purpose. It is now about 22. That includes about seven gallons per head per day of water measured by meter for trade purposes.

Sir *Henry Roscoe.*

5730. Is the system of measuring in Liverpool general?—Only for trade purposes. It is not so general as in other towns. A great deal of the trade water is not measured by meter. The seven gallons per head per day would be probably increased to eight and a-half, or even more if all the trades were supplied by meter.

5731. Then the supply by meter increases the demand, you say?—No; I am distinguishing between the supplies for domestic and all other purposes, and the supply by meter for trade purposes. It is necessary and uniformly the practice to supply the larger trades and manufactories by meter; water is measured exactly as gas is measured, and paid for accordingly. The rest of the water supplied for all domestic purposes, for sanitary purposes, hotels, warehouses, offices, shops, and public-houses in Liverpool is based on the assessment in some form or another.

Sir *Algernon Borthwick.*

5732. And a constant supply?—Yes.

Mr. *Lawson.*

5733. In the case of smaller manufactories, do you offer it to them and they refuse it, or do you refuse it when they wish it?—They are glad enough to come. I would not call them manufactories, because most actual manufactories are supplied by meter; but in smaller trades the supply of water is assessed if it is not a purely domestic supply. It is specially assessed on certain principles that are adapted; it is a sort of agreement.

Mr. *Russell Griffiths.*

5734. I do not know where you get your figure when you said that the average supply in London was 35 or 36 gallons per head per day; has your attention been called to the report of the water examiner in the nineteenth annual Report, Appendix B., page 235, for 1889–90, in which he gives the supply for each company, and brings out the general average per head as 29·61 gallons a day?—I think I have already said that greatly to the credit of the companies the rate of supply has been considerably reduced since I made that statement.

Mr. *Russell Griffiths.*] I only want to put the figures before the Committee. In 1889–90 the rate was 29·61 gallons a day, of which 23·93 gallons was for domestic purposes.

Cross-examined by Mr. *Lewis Coward.*

5735. The domestic rate at Liverpool is 7½ *d.*, is it not?—No, the rent.

5736. The rent taken on the rateable value?—Yes.

5737. Then you have a public rate for water of 6 *d.*?—Yes.

5738. And that is levied on all properties, is it not?—Yes, in Liverpool and Bootle.

5739. Can you tell me this; if the income derived from this sixpenny rate were charged as a water rate, what would have to be charged to the consumers to produce an equal sum to this sixpenny public rate; do you follow me?—Perfectly. I cannot tell you off-hand, but it would be very nearly the same thing; you may take it that it is 13½ *d.* without much error.

5740. I suggest to you that it may be 1 *s.* 7½ *d.*?—Oh, no.

5741. Why not?—Because there is nothing like that difference. I am not in a position to answer your question accurately, and therefore I would rather not answer it at all, but I am sure it would not be anything like that.

5742. Factories and large docks you know would not pay the domestic rate, would they?—I know that, but it is not so much as that.

5743. Liverpool is composed of a very large number of those establishments that I have suggested to you, is it not?—Yes, I know that.

5744. Do you really suggest to the Committee that it would be the sum of 1 *s.* 1½ *d.*; would it not be more?—If it is worth while I can give it to you.

5745. Must it not necessarily be more?—Of course it must be more, slightly more. It will take some time I am afraid to give it to you.

5746. I will take your admission that it must be more?—A little more.

5747. Your rate on a house, say, of the rateable value of 7 *l.* would be 9 *s.*, would it not?—I do not know. I am the engineer, and I can answer general questions, but not questions on those points.

5748. You may take it from me that it is so; are you aware how that compares with provincial towns, such as Manchester, Salford, Birkenhead, and Brighton; is it higher or lower?—It possibly may be higher; I have no doubt it is.

5749. You are quite right; I will give you the figures: Manchester 6 *s.*, Salford 6 *s.* 9 *d.*, Birkenhead 7 *s.*, Brighton 5 *s.* 3 *d.*, so that you see as to those towns Liverpool compares somewhat unfavourably?—You may be right, but that is not my answer; let me make a remark on it.

5750. I have the figures, and if necessary I can prove them?—Will you allow me to make a remark upon that, please? That 7½ *d.* which we have been talking about includes the interest on two millions of money which is entirely unremunerative at present. The Vyrmny supply, as I have explained, has not been introduced, and if you take the amount required for the purpose of

Mr. *Lewis Coward*—continued.

paying that interest off, you will find that it tells a very different story. As I have just said, Liverpool upon the old rate of 6 *d.* succeeded up to the end of 1888 in paying the interest upon the whole of that unremunerative capital, and if you put any of the other towns in the same position as that I am pretty certain you will find Liverpool is the lowest.

5751. The fact remains that Liverpool has still 7½ *d.* as a domestic rate?—Quite so.

5752. Now we will proceed, if you please; are you aware how that rate, and indeed the rate of all the provincial towns I have given to the Committee, compares with the rates of the water companies on a house of the rateable value of 7 *l.*?—No.

5753. I will give you those rates. Taking the New River, and the Grand Junction, and the Chelsea Companies', it is 5 *s.* 7 *d.*, compared to your 9 *s.*; then the West Middlesex Company's is 5 *s.* 2 *d.*, the Kent Company's 8 *s.*, the East London Company's 7 *s.*, and the Southwark and Vauxhall Company's 7 *s.*; so that you see those companies compare very favourably even with Liverpool.—I do not think they do.

Cross-examined by Mr. *Giles.*

5754. Do you supply any water in bulk to outside areas from Liverpool?—No; except for manufacturing supplies, not to authorities.

5755. I mean to districts outside the boundary?—No.

5756. Are all those districts that you supply through which your pipes go supplied in bulk?—Outside?

5757. Yes?—No.

5758. When did Bootle obtain a representation on the authority?—Only this year. Last year the Act was passed, and this year Bootle has had the representation.

Cross-examined by Mr. *H. C. Richards.*

5759. With regard to the authorities outside Liverpool, is Bootle the only municipal town?—Yes.

5770. Is the rate in the outside areas the same rate as within the city?—Yes, in Bootle.

5761. But in the districts that you supply passes through, exclusive of Bootle, is the rate the same?—There is no rate, but the water rent is 10½ *d.*

5762. That is throughout the outside area except Bootle?—Yes.

5763. Then Bootle has a supply at the same cost as within the city?—Bootle is exactly on the same basis as the city now in all respects.

5764. On what ground is the difference made between water rent in the outside area and the water rate within the town of Bootle?—It is to my mind an inequitable arrangement which arose in this way, I believe originally. The theory of the 6 *d.* rate was that it was for the purpose of supplying water for sanitary purposes and for fires, for which purposes the water was not supplied in the out-townships, and that Liverpool ought to pay a rate of 6 *d.*, where the out-townships ought not to.

5765. You have given to the Committee the

Mr. *Richards*—continued.

outside area as 64,345 acres, have you not?—Yes.

5766. Of that area how much would Bootle comprise roughly?—In area I cannot tell you. I can remember the population, it is about 38,000.

5767. I think the population of the outside area you gave to the Committee was about 200,000 in all, was it not? You said it was 600,000 within the city and 200,000 without?—I daresay it is about that.

5768. Do you have your own mains within Bootle and the control of them, or does the Bootle Corporation have their control?—We have the whole control.

5769. You have given some evidence to the Committee as to the particular property of the East London waterworks. Are you familiar with that district across the border in the county of Essex?—No; I have seen it.

5770. You mentioned to the Committee that the water supply of London was complex physically?—I did, only by reason of the number of companies supplied from different levels, and under different conditions and abutting upon one another.

5771. Do you consider that absolute severance within and without the county of London would be possible or difficult?—Absolute severance along that line would be undesirable I think.

5772. You say undesirable, but you must be aware that the outside authorities would prefer severance, and therefore I am asking you from an engineer's point of view, whether it is possible or difficult?—It would be costly and inconvenient.

5773. May I ask you why it would be inconvenient?—Because you would not be able to arrange the pressures and supplies as satisfactorily as if you had command of both sides.

5774. Let me take the position of the East London Waterworks; you have told the Committee that the East London Company have about half their area of supply within the authority of the county council of London?—Perhaps I should have said half the densely populated area; it is a much larger area outside.

5775. That is what I wanted you to explain to the Committee; it is a much larger area outside the county of London than within?—Yes.

2776. Do you have the supplies of the East London Waterworks?—The sources?

2777. Yes.—Yes.

2778. They are wells and an intake from the Thames, are they not?—Yes.

2779. The wells are I think within the county of Essex, are they not?—I believe they are.

2780. Do you see any physical difficulty, I am not talking about equitable difficulty, in the supply within the county of Essex being preserved for that county, and for the local authorities to deal with it; leaving the intake from the Thames to the county of London, do you see any difficulty in the wells supplying the county of Essex being left to the county of Essex?—I am not in a position to answer that question, because I have not had an opportunity of investing these particular matters, which I think ought to

Mr. *Richards*—continued.

to be open to full investigation before the purchase.

5791. You are giving evidence on behalf of the county council, are you not?—Yes.

5782. Now, with the knowledge that Parliament has given to Bootle representation on the water committee of the City of Liverpool, do you see any objection why the outside authorities, if they are supplied by the county council, should not have representatives as well?—I think the bulk of the outside authorities of London are very much more in the position of the bulk of the outside authorities of Liverpool. Bootle is practically part of Liverpool, it is only different in name. But the suburban districts are much more like the suburban districts of London, and they have no representation. I think representation would be useless in those cases.

5583. Do you not think representation is equitable at all events. Taxation and representation ought to go hand in hand, ought they not?—If the representatives of the outside districts are many in number I am quite sure that that will not conduce to the economical management of the business of the undertaking.

5764. You say the suburbs of Liverpool and the suburds of London are similar. Do you know the borough of West Ham, for instance?—I know it is a very large borough.

5785. I put it to you, that as far as appears to the ordinary observer, it is a continuation of London?—That is quite true. Perhaps it should be included in London.

5786. It is not included in London. What I put to you is this: do you not think those townships and corporations outside the county council should have some voice first of all in the purchase, and afterwards in the control and supply. The purchase must affect them, you know?—I think they should be in a position to be represented before the arbitrator, and with respect to representation I should be sorry to say at the present moment that there is no case which cannot be conveniently and properly represented. There may be exceptional cases, but, speaking generally, I should say no.

5787. Are you aware that there are 46 local authorities outside the county council in this water area?—I have heard that number stated in this room.

5788. You know it is only proposed there should be 48 members, seven from the City and 41 from the county council, do you not?—Yes; if you had a representation of each of those places it would be an unwieldy committee I think.

5789. Do you not think, for instance, if the City is entitled to seven members, the outside authorities are entitled to seven as well?—I think the case is entirely different.

5790. But you think they should have some voice at all events in the purchase price of the companies, if they are to be included within the water supplying area, do you not. Please look at it from your own point of view. and not from the point of view of the county council?—Of course; but they can be represented by counsel, and I should think that ought to be sufficient.

5791. As you have been connected with Liverpool so long can you tell me this: did the

Mr. *Richards*—continued.

Corporation of Liverpool oppose Bootle having representation?—I think they did; I had nothing to do with it; I fancy it was settled by agreement ultimately; but they did oppose at first.

5792. You are aware that the population of West Ham, one of the districts to be supplied, is a quarter of a million, are you not?—I know it approaches a quarter of a million.

5793. It is the ninth town in size in England?—Yes.

5794. If Bootle, with 38,000 inhabitants, is entitled to representation on the council of second city in England, do you not think the districts outside, such as West Ham, should have representation on this proposed council?—I cannot say more than I have just said. that I think it is a question whether there might not be one or two places which should be represented, but I think they are exceptional.

5795. And you think all of them should have the right of representation by counsel when the question of costs is to be considered, first of purchase and then of supply?—Yes, on the question of purchase.

5796. Then the cost of supply must affect the matter, must it not?—No, I think the question of the mode of supply and everything of that kind should be left exclusively to the authority. It could not be managed in the way you suggest I think.

Cross-examined by Mr. *Rickards*.

5797. When was the Vyrmny supply authorised?—In 1880.

5798. You have spoken of the difficulty of severance in the case of the East London Waterworks district; I suppose you agree with Sir Thomas Farrer and Mr. Binnie that the water undertakings will have to be purchased sooner or later by the water authority in London?—I think they ought to be. I think they ought to have been purchased before.

5799. With regard to Liverpool, do you know that in the case of the Liverpool Act of 1847 an obligation was imposed upon the Corporation of Liverpool to buy the existing waterworks of the companies, and an obligation imposed upon the companies to sell the waterworks?—Yes they asked for it.

5800. But do you know that is the form of the Act?—Yes.

5801. Do you remember these words: "That they are to purchase the property, rights, and privileges of the said company, at such price or consideration as shall be mutually agreed upon between the said council and company of proprietors. and in case of disagreement as to the said price or consideration the amount thereof shall be determined by arbitration according to the provisions for that purpose contained in the Lands Clauses Consolidation Act of 1845"?—Yes.

5802. The terms of purchase therefore were arranged by arbitration?—They are, by agreement or arbitration. It was only a few years after I was born, and I do not remember it.

Re-examined by Mr. *F. W. Pember*.

5803. You were asked by my learned friend Mr. Cripps whether in the case of Liverpool

Mr. *F. W. Pember*—continued.

the outside authorities did not object to being incorporated, on the ground that, if they were incorporated the heavy charge in respect of bringing the water from Vyrmny would fall upon them. You are sufficiently acquainted with the proposal made by the county council and the corporation now before this Committee, to know that they do not propose either that the outside authorities should be incorporated in the county of London, or to take any powers to rate those outside authorities, are you not?—I have certainly not heard that they do.

5804. Will you take it from me that there is no such proposal?—Yes.

5805. Then you were again asked whether at present you had had any experience of the supply from Vyrmny to the outlying districts. Is it not the fact that your experience at Liverpool goes not only to the comparatively new scheme of bringing water from Vyrmny to Liverpool, but also to the supply from the earlier sources to Liverpool and the surrounding districts?—Yes; I was water engineer of Liverpool for 19 years.

5806. So that you can thoroughly speak as to those districts immediately surrounding Liverpool as distinct from the districts lying on the route from the Vyrmny reservoir?—Certainly.

5807. With regard to the districts lying round Liverpool you can state that there has been absolutely no friction and that everything has worked harmoniously, can you not?—Yes, certainly.

5808. With the one exception of Bootle, which you referred to?—Yes.

5809. That particular instance of Bootle has been more than once referred to in cross-examination. I believe the circumstances in regard to that are very peculiar. Is it the case that in regard to Bootle the central authority obtained from Parliament the power to levy a specially high rate in Bootle, and that in consequence Bootle obtained the representation upon the water authority?—When you say a specially high rate, it was simply the same rate as in Liverpool.

5810. But differing from the other outside districts?—Yes; Bootle is different altogether. There is no analogy between Bootle and the country districts east of Liverpool.

5811. And Bootle stood in a special position as regards the power of rating to what I may call its brother and sister outside districts round Liverpool, did it not?—Yes.

Mr. *Roundtree.*

5812. Do we understand the rates of Bootle are equally liable with the rates of Liverpool to make good any defficiency?—Yes, the water rates.

Mr. *F. W. Pember.*

5813. We have had brought out the well-worn phrase about taxation and representation; we do not propose to tax the outside districts, do we?—No.

Mr. *J. W. Lowther.*

5814. What is the size of the committee of the council at Liverpool; how many member is it composed of?—I think it is composed of 16 or 18 members.

Mr. *Lawson.*

5815. The questions of general policy with regard to the supply of water, I suppose, are decided by the city council?—Certainly.

5816. Therefore the two members that represent Bootle really only have a voice in the detailed administration?—That is so. But when you say questions of general policy are decided by the city council, they are not initially so decided. Everything is brought up by the water committee, and I never heard of any question being decided by the council that had not been previously discussed by the water committee.

5817. It is not a statutory committee?—No.

5818. It might be overridden in any respect, might it not?—Certainly; it might be overridden by a vote of the council.

5819. It has not even got the statutory position of a watch committee?—No, it has not.

5820. Since when have the rates of Bootle been liable for the water charges?—I think this is the first year; that is, they are liable for the same charges as Liverpool is.

5821. Not from the commencement of the municipal undertaking?—No; previously they were in exactly the same boat as the rest of the out-townships.

5822. And it is because their rates are made chargeable that they are allowed representatives on the water committee, I suppose?—Yes.

5823. Was that the reeson given?—That is undoubtedly the substantial reason why their rates were made the same.

Sir *Henry Roscoe.*

5824. Was the investigation which led to the the Vyrmny supply carried out by the corporation or by the water committee?—By the water committee who, made many reports to the council, and those reports were largely discussed in the council. Ultimately the water committee carried their views, but not till after very considerable delay and many discussions.

5825. When was the question first mooted as to a fresh supply for Liverpool?—My first report, projecting the Vyrmny scheme, was made in 1877. But from the time I was appointed in 1871, the question was before us of a new supply and it had been discussed by my predecessor, Mr. Duncan, the late civil engineer.

Mr. *Lawson.*

5826. Was the new supply undertaken because the present supply was insufficient for the existing wants?—Yes. The present supply was said to be insufficient even in my predecessor's time; we showed that for some time at any rate it was not insufficient because we succeeded in restoring constant service without any addition of water and reducing the consumption, still giving higher pressure and a perfect constant supply, so that the people had everything they could possibly wish for. That lasted we will say for 10 years, and then owing to the increase of population our savings were consumed, and we were in the same position again. Within the last few years in dry summers, we have been actually obliged to revert to the intermittent service temporarily

Mr. *Lawson*—continued.

porarily only; so that there is no doubt that the necessity has absolutely arisen and that the time has passed when this new supply should have been given.

5827. Do you give compensation water for your existing supply?—Yes, both from the Rivington supply and from the Vyrmny supply.

5828. That of course accounts for a great deal of the charge, does it not?—Yes, in the case of the Rivington supply it exceeded a third of the whole supply.

Sir *Henry Roscoe.*

5829. Was the question not merely with regard to the quantity, but also as to the quality of your supply taken into consideration?—Of the existing supply, yes, so far as related to the wells. One-third of the supply of Liverpool is at present from wells in the new red sandstone formation, or has been so up to the present time. One by one the wells have had to be abandoned, especially those nearest to the river, and the quality of the existing wells has not always been entirely satisfactory. We have removed the difficulty by the suppression of cesspools to a very large extent; and the wells are better now than they have ever been in my knowledge; but still that has been a question for consideration, and it was thought at one time the wells would have to be abandoned.

Mr. *Lawson.*

5830. I suppose, in your opinion, it is inevitable, where you have to seek a new supply at great cost, the water rents must for a time, at any rate, be increased too?—Yes. They were not in the case of Liverpool at first. We went on from the year 1881, when the works commenced, and paid for the water out of the savings.

5831. But now the rents are increased?—Now they are increased; that is inevitable at some period, but I think they will soon drop again. I think the present rate of increase will soon recoup the difference, and we shall be able to pay the rates out of the old revenue entirely.

5832. Then you do not think it necessarily means a permanent increase in the water charge?—Certainly not, quite the contrary. If Liverpool were double its present population, the rate would be lower than it has ever been before. We have water enough to enable us to supply double the population, and therefore I put that.

Mr. *Bristowe.*

5833. I think you said those works from Vyrmny to Liverpool cost about 2,000,000 *l.*?—Yes, including all the charges, it was something under 2,100,000 *l.*

5834. Can you tell me how long they have taken in construction?—Yes, the work was commenced in good earnest in 1881.

5835. About 10 years we will say?—The bulk of the work was completed more than a year ago; but, unfortunately, we had a difficulty under the Mersey, which has been overcome, and we are just getting the water now.

5836. It has just taken about 10 years to bring it 66 miles, has it?—Yes.

5837. You say the water was daily or hourly expected at Liverpool, and was travelling slowly; can you tell me how long it takes to travel the 66 miles?—It is 76 miles to the Town Hall, 68 miles to the Prescott Reservoirs. At the present rate at which it is going it will take about six weeks; but we are only washing out the mains now.

5838. Supposing the mains were washed out?—It would take two days, or something like that.

Sir *Algernon Borthwick.*

5839. You said the wells had deteriorated in quality. Have they deteriorated in quantity, too?—Yes; the wells have been unduly pumped by reason of the want of water, and the quantity of water has had to be maintained by pumping harder than was necessary, say ten years ago. The same well, which would yield 2,000,000 gallons ten years ago at a certain level, would have to be pumped at a lower level to yield 2,000,000 gallons now.

Mr. *Lawson.*

5840. You purchased originally by agreement in Liverpool, did you not?—I am not quite sure whether it was settled by agreement or arbitration; it was a long time ago.

5841. Do you know the basis of the purchase?—No, I do not; in fact, I do not think the documents are to be found. I have looked for them and inquired for them, but I have not seen them.

Mr. *Freeman.*] I ask leave, Sir, formally to recall Mr. Cripps, to put in some documents which were omitted.

Chairman.] Yes.

Mr. HENRY L. CRIPPS, re-called; and further Examined.

Mr. *Freeman.*

5842. YOU desire to put in before the Committee, I think, three documents, which you have received since you were under examination?—Yes; they are only letters in continuation of the correspondence which has taken place with the various vestries and district boards of London, on the suggestion that this proposal of the county council would meet with approval. There are only three more letters, and they would follow the series which is already on the Notes. This is the letter from the vestry of St. George's,

Mr. *Freeman*—continued.

Hanover square, dated the 8th of June 1891. "I beg to inform you that the vestry of this parish, at their last meeting, considered your letter forwarding heads of proposals adopted by the London county council for dealing with the London water question, and to state that they agreed with the same." Then on the 12th of June there is this letter from the clerk of the vestry of the parish of Rotherhithe. "I am directed to acknowledge the receipt of your letter of the 15th ultimo, and to inform you that this

Mr. *Freeman*—continued.

vestry is prepared to support the council in its efforts to obtain the control of the water supply for the metropolis." Then again on the 12th of June there is this letter from the vestry clerk of the parish of St. Mary, Battersea: "Your letter dated 15th May, relative to the provisions of the Metropolis Water Supply Bill, was considered by the vestry of this parish at their meeting on Wednesday last. I am directed to inform you that the vestry approve the action of the council in opposing the Bill in question." That is the Metropolis Water Supply Bill. In the case of the other parishes I gave the population. The population here is not quite clear from the returns, because the parishes are divided; but I think I am right in saying that the population of the parish of Battersea, according to the returns to the council in 1881, was 150,000, and St. George's, Hanover-square, about 60,000.

Mr. *Rickards.*

5843. What is the population of Rotherhithe?—I am afraid I have not Rotherhithe exactly. It is not a large parish.

5844. Can you give us it approximately?—In Rotherhithe the unrevised population is 39,074.

Chairman.

5845. Are those all the documents which you wish to put in?—Those are all, Sir.

Mr. *Freeman.*] At a very early stage of the case, Sir, I think it was in the cross-examination by my learned friend Mr. Pember, of the first witness, an allusion was made to a certain speech of Sir John Lubbock's. I desire to call Sir John Lubbock before this Committee, but he is unfortunately not able to be present just now, although he intended to be. If the Committee desire to hear him on that point, I shall ask to be allowed to call him.

Chairman.] What is the point?

Mr. *Freeman.*] It is dealt with on page 184 of the Minutes, Question 3298. Mr. Pember in cross-examining Sir Thomas Farrer, asks him this: "I just wanted in contradistinction to the evidence you have given to put to you that only yesterday your Chairman, Sir John Lubbock, whom I have the honour of seeing present, said this: 'That he does not believe that such undertakings are, as a rule, more economically managed by private enterprise than by public bodies.'" Then Mr. Pember quotes from a speech of Sir John Lubbock. I had hoped Sir John would be here, but he is unfortunately detained by public business. If the Committee desire to hear him on that point, I should ask to call him at a later stage. With that reservation, Sir, that will close the evidence I propose on behalf of the county council to lay before the Committee

Chairman.] I do not think the Committee themselves want to hear anything upon that point.

Mr. *Freeman.*] If you please, Sir. Then that will close the county council case.

I suppose now, Sir, as you intimated the other day, the City will proceed with their case, followed by the outside authorities and the Thames Conservancy, and then my friend Mr. Moulton will have an opportunity of addressing the Committee?

Chairman.] Yes.

Mr. *Pember.*] If that is all the evidence for the county council, they must go on and complete their case.

Mr. *Freeman.*] My friend does not recollect that the Committee were good enough to give a ruling on that matter. It was arranged that the water companies should come last, except of course, that my friend Mr. Rickards, who is still nominally promoter, should come after them. Then, Sir, you were good enough to say, when I proposed calling evidence in relation to outside authoritities, that instead of proving a negative, it would be much more satisfactory if the outside authorities gave their views; and we were heard upon that.

Mr. *Pember.*] That I have nothing to do with. Let me make it clear. I was sent for into this room because I was told an application was being made, or about to be made, that the county council should be heard after the water companies.

Mr. *Freeman.*] No, nothing of the sort.

Chairman.] The course of proceeding was perfectly understood, I think.

Mr. *Giles.*] If I might refer to what passed, it was this: Mr. Freeman said, "and then the outside authorities should be heard, and, if necessary, we should have an opportunity of addressing the Committee."

Mr. *Freeman.*] It is your own ruling, Sir, on page 317, which is important. I was proposing rather to call evidence in relation to the non-desirability of the outside bodies being represented; and you, Sir, then said, "I do not exactly see what evidence you can bring as against such a representation." Then I said: "It is evidence which would be rather in the nature of argument; I am aware of that." Then you, Sir, said (which is the important matter), "Would not you be able to argue the case after the representatives of the outside authorities, whom we are bound to hear on the subject, have made what case they could in favour of representation. It strikes me you would not find it necessary, but I leave it to you to consider."

Mr. *Pember.*] In order to release me, might I state what I understand the course to be. It is settled, whatever may be the position to which my learned friend has referred, it still remains that you settled that after him the corporation were to proceed, then the outside authorities and the Conservators of the Thames (in any order they like, as far as I am concerned). The only thing I am careful to urge is that, after all them I come for the water companies, to be succeeded by nobody but my friend Mr. Rickards.

Mr. *Freeman.*] It is clearly understood; I have never suggested any variation from that.

Chairman.] That is clearly understood.

Mr. *Giles.*] As representing an outside authority, I have to say this: what the Chairman said was, "I do not see what evidence you can bring as against such a representation." If I may be allowed to say so, there has not been a single witness

witness put into the box who has not had the question of representation of outside areas addressed to him, so that instead of its being necessary, as my learned friend submitted to you (as you will see, Sir, if you look lower down page 317), that he should address the Committee after the outside areas had been heard. All the objections that he can raise against our being represented have been put to each witness, and more than that, we are in this position now, that we really do not know what case we have got to meet. The evidence given yesterday by Mr. Harrison and Mr. Haggis, to deal with that only, was in direct conflict on several points, and as the evidence stands before the Committee, we really do not know to what we ought to address ourselves. Is it to be a statutory committee, and what powers are that committee to have? Is there to be a Royal Commission, or is there not? If there is to be a Royal Commission, what matters are to be taken out of the hands of the statutory committee to be decided by the Royal Commission? We are entirely in the dark as to those points; and I submit it would be unfair to us to have to present our case to the Committee until those points have been cleared up. I do submit, on the whole question, that the necessity has not arisen, in consequence of the evidence given for the London county council to address the Committee after the outside areas have been heard.

Mr. *Pope.*] I really do not know where we are, Sir. If we are conducting a Parliamentary inquiry on the ordinary principles which govern such inquiry, there is no difficulty whatever as regards this matter. You settled that you would proceed with what we have been calling for shortness the Vestries' Bill. They are the promoters before you. The London county council, and all the others who appear here, are in the position of opponents, and the everlasting practice of Committees of Parliament is that the opponent must close his case and make his speeeh, and then the next opponent goes on and closes his case and makes his speech, leaving the reply in the end in the hands of the promoters of the Bill. The simple question you have before you, Sir, is what Bill are you going on with? I understood you were going on with the Bill my friend Mr. Rickards promotes. If that is so, unless you propose to set aside all the ordinary procedure of Committees, there can be no doubt as to what is to be done. The opponents will settle among themselves the order in which they will present their opposition to the Bill. I, as being unfortunately in the position of leader by seniority, am entitled, according to the practice among ourselves, to say when I will present my opposition, and I can say to the juniors who are here, "You will be good enough to go on with yours." The county council is in no other position than that of ordinary opponents. They have called their witnesses; they must make their speech and close their case like any other opponent, unless you propose also to vary in their favour the entire practice of the Parliamentary Bar, which I do not apprehend in the least is the intention of the Committee.

Mr. *Bankes.*] Might I say one word on behalf of the Thames Conservators, because we are really in a difficulty? If, as my friend has said, the county council are opponents, they ought to be treated as opponents and close their case; but if they are in the position virtually of promoters of this Bill, in all fairness to the opposition we ought to know what the county council wish to say against us. With regard to the conservancy for the real promoters of this Bill, my friend Mr. Rickards is prepared to give us all we wish for and it is not necessary for us to call any evidence. At any rate he is prep red to give us all we can in reason ask for. But if we are to meet the wishes of the county council we surely ought to know what their wishes are with regard to the body whom I represent.

Mr. *H. C. Richards.*] On behalf of another outside authority, Sir, I must respectfully ask that the county council should be called upon to close their case, because we are most anxious to know the position we have to take to allow them to reply upon us is putting them in the position of promoters of the Bill.

Lord *Robert Cecil.*] I venture to adopt, Sir, on behalf of Hertfordshire, what has been said on behalf of the other outside authorities.

Mr. *Saunders.*] Speaking with regard to the Corporation of London, as I understand, the question, is the order of procedure. I do not know, Sir, what your decision may be with regard to outside areas or others. The case of the Corporation of London is so very nearly identical with that of the London county council in the matter, inasmuch as they have compared notes together and have conferred together, and have come to the conclusion as to what is the right form of water authority to be constiuted, that that we do not propose in all probability to trouble you with either a separate speech or separate evidence unless of course, the Committee should desire it. Inasmuch as your time is of great importance in the matter of this inquiry, and we have arrived at a stage of the Session when I am quite sure you and everybody else will be anxious to conclude the matter as soon as possible, and as we endorse generally what has been said by the witnesses for the London county council, I do not think you will be troubled by the Corporation as a separate body. We consider their evidence and their speech (which, of course, we should like to hear before we come to a final decision in the matter not to speak, but having no doubt that that speech will be entirely in accordance with the evidence which has been given) will be sufficient for us, and that we shall probably not ask the Committee to hear us.

Mr. *Pope.*] I think my friend Mr. Saunders' observation shows how the Committee may adhere to the practice of Parliament, and still give the promoters of the Bill or the county council an opportunity of replying upon their opponents, because my friend Mr. Saunders says the Corporation of London says ditto to the county council, and that they reserve their right to say whether they will make a speech or not. My learned friend Mr. Littler stands next in seniority to myself, and he, as representing the the Corporation, can put all the opponents before

him, and will have the advantage and right to make a speech when he chooses. If he chooses to reply upon us he can. The only difficulty will be, if they do vary from the speech for the county council, we shall know there is that difference of opinion.

Mr. *Saunders.*] I think probably you will not find there is any difference of opinion, but undoubtedly we must reserve our right to be heard in case of necessity.

Mr. *Rickards.*] I hope the Committee will give some intimation that they wish for the separate views of the Corporation of London, so that we may compare them with the views of the county council, or we shall be entirely in the dark as to what the views of the Corporation are.

Mr. *J. W. Lowther.*] If they do not say anything, then you may take it they agree.

Mr. *Rickards.*] I should not like to assume that at all. I take it they think it is safer not to differ openly before the Committee, but I should be hardly inclined to draw the inference that they agree.

Mr. *Freeman.*] I confess I am put in a considerable difficulty by two matters. In the first place I had taken the ruling of the Chairman in the same way that we always do in these rooms take such rulings, and I thought that it was a ruling which would be followed. On the strength of that I have prepared my evidence and called my witnesses, but I had not anticipated being called upon to go on at the present time because I relied on the ruling. In the second place I do rather complain of the hard position in which I am put. Not only have each one of the outside authorities had their say, to which of course they are entitled, but my friend Mr. Pope, who I thought was representing the water companies, and who is in no way affected by this question, has been brought in now to assist the outside authorities.

Mr. *Pope.*] I spoke in the interest of Parliamentary procedure.

Mr. *Freeman.*] I would respectfully point out to the Committee that, having relied upon their decision, we should be put in an extremely difficult and I may say an unfair position if we were called upon suddenly to make a speech on this important question. The outside authorities are all here; they know from our witnesses precisely the views which they take, and they have had the agreement upon which we propose to act.

Mr. *Lawson.*] Where did the Chairman distinctly rule what you are suggesting?

Mr. *Freeman.*] The Chairman said: "Would you not be able to argue the case after the representatives of the outside authorities, whom we are bound to hear on the subject, have made what case they could in favour of representation."

Chairman.] But I do not thing that is a decision that you should not close your case as a general case in the ordinary way, Mr. Freeman.

Mr. *Freeman.*] You see, Sir, that is not all because the discussion went on for some little time. At the bottom of the page I endeavoured to make it clear, so that there should be no mistake as to what we understood. I say, "Then I understand the course will be this: that we should call our two witnesses, and, if necessary, any other witnesses; that then the corporation and then the outside authorities should be heard, and, if necessary, we should have an opportunity of addressing the Committee." Then you say, Sir: "Then would come the water companies." Then I say: "Then, I suppose, my friend, who is still nominally the promoter, will wind up."

Chairman.] I must not be understood to rule anothing contrary to that which is the prevailing practice in Committees, that opponents should close their case in the usal way; but at the same time this is a difficult inquiry; and the Committee want to be seised of the views of all parties in this matter rather more particularly than in the case of an ordinary private Bill.

Mr. *Freeman.*] We are in a very curious position here, Sir, because, although, as my learned friend Mr. Pope says, in strict technicality we are opponents of the Bill as regards the question of what the authority is to be, the promoters have practically accepted the suggestion that the county council and the corporation jointly should be the authority; and so far as that patr of the Bill, against which the outside authority are desiring to be heard is concerned, we are really promoters. It is a very peculiar position altogether.

Mr. *Bolton.*] Would it not be sufficient for you to leave the City to deal with that question, as Mr. Pope suggests. They are represented here by counsel of great eminence and ability; and as they are at one with you, why should you not trust to them and rely upon them. Let there be an understanding between you, and then you can substantially gain what you want, and the rules of procedure before Committees of the House of Commons will be preserved.

Mr. *J. W. Lowther.*] And you will get two speeches instead of one.

Mr. *Freeman.*] No one recognises more than I do the eminent ability of the counsel for the corporation, and no one has more absolute trust in them than we have; but I am here simply in the position of counsel representing a public authority, and certainly everybody connected with it on this side of the table, so far as the council are represented, has been under the impression that that did amount to an indication of the course which was to be pursued. The Parliamentary committee of the council will meet this afternoon and consider the question of how the case should be finally presented to you. I really cannot take the responsibility of acquiescing in your suggestion, Sir, until I have at any rate consulted my learned leader on the matter.

Mr. *Bolton.*] I do not see how you will be prejudiced in any way.

Chairman.] Can you be ready at two o'clock.

Mr. *Freeman.*] I will take the opportunity of consulting my learned friend Mr. Moulton, who leads me.

Chairman.] I quite admit there was an indication in what you have read, that I ruled something which would lead you to think that as regards

regards that particular part of the case, you would have an opportunity of reply; but of course it does not apply to the general case at all. Therefore I think the Committee have a right to expect that the case for you and the opponents of the Bill, or as the mixed opponents and promoters, should be brought to a close after calling your witnesses.

Mr. *Freeman.*] I am entirely in the hands of the Committee, and any direction they give I must carry out; but I regret to find myself in a position of considerable difficuly, owing, no doubt, to what has been a misunderstanding on my part.

Chairman.] Do you not think what Mr. Pope suggests is a fair way out of the difficulty If the Committee were to adjourn for an hour, do you not think that would do for you.

Mr. *Freeman.*] If the Committee adjourn for an hour I will do my best, Sir.

Mr. *Rickards.*] The London county council I may say Sir, are not promoters, because they have not adoyted the Bill.

After an interval.

Mr. *Moulton.*] I am going to make a personal appeal to the Committee. I have just heard the decision of the Committee, that instead of speaking after the outside areas have called their witnesses, which was what I understood would be the case, I am to be called upon now to speak on behalf of the London county council. I wish to ask the Committee under these circumstances whether they would allow me to postpone my speech till Tuesday for this reason. Rightly or wrongly, I cannot help thinking it is very important on behalf of my clients, that I should be able to put before the Committee shortly, but in properly reasoned order, their position and the grounds on which they support it, and the way in which the evidence already given supports that case also; but I am not prepared to do it to-day. I had no idea that I should be called upon, and I have not given it the requisite preparation, I could not do justice to it; I should be much longer than I should be if the Committee would kindly allow me to do it on Tuesday. I will promise not to be long on that occasion, und I feel I should be doing neither justice to my clients nor to myself, I might add, if I have to do it immediately. I am not at all going back on the decision of the Committee. I imagined that the strict rule would have been followed that I was not to be called upon to speak till the evidence was finished. There is no doubt I have a right to cross-examine the witnesses who are going to be called, and until that cross examination is over, the evidence on which I have to reply is not finished, so I should have thought if I were relying on my strict rights I may claim to be heard after all the witnesses have been called, and I have cross-examined those witnesses. But I do not rely on that. If I have any one opportunity of putting the case and the position of my clients in a straight form before the Committee, I shall be quite satisfied, and I think although it will put us at a disadvantage it will very likely assist the Committee; that it should be done at an early stage. If the Committee, therefore, will allow me to do it on the next sitting, I shall be quite prepared to do it, and I think I really should save their time because I should do it then, taking great care not to exceed in length any period that is absolutely necessary. I do not think the water companies would oppose an application of this kind.

Mr. *Balfour Browne.*] I may say distinctly, as far as I am concerned, I should not like to oppose any such application, as I underetand my learned friend partly puts it on the personal grounds.

Chairman.] It is very difficult for the Committee to resist an appeal of that kind, especially as there has been I daresay a misunderstandlng owing to some remarks of mine on a former occasion, but the Committee certainly would like, if possible. not to waste the remaining hours of the day. Is it not possible to take some other case without prejudice to the parties. I do not know who desires to be heard, of course. With reference to what was said by some of the counsel for local authorities, it is for them to judge what course they will take. I was asked for the point, and it was for them to judge. A Bill is premoted, and the parties are aware of what the Bill is now before the Committee. I do not think it is possible to give any line to the representatives of those authorities further than has been already done.

Mr. *Moulton.*] If the Committee would go on and take a witness for some authority I will not avail myself of the fact of speaking after that evidenoe.

Mr. *Balfour Browne.*] May I say that I propose to go into the matter at very short length for the Hereforeshire county council, but I am unfortunately in this position that I believed our case would not be reached to-day, and also that the chairman of the Hertfordshire county council, Lord Cowper, is not very well. Therefore, I shall not have the benefit of his evidence, and I shauld not like to disociate what I have to say from the evidence of Lord Cowper.

Mr. *Lawson.*] Will he be your only witness?

Mr. *Balfour Browne.*] He will be the only witness for the Hertfordshire county council.

Chairman.] Are there any other parties who could dispose of their case this afternoon. We find it really rather important.

Mr. *Moulton.*] I am inclined to think that the evidence on behalf of the local authorities will not be very voluminous; I fancy it will be a question of argument rather than otherwise.

Chairman.] Probably it is the case, that it is more a question for argument than evidence, but so far as that goes I could not call upon anyone to offer their evidence or to make their speeches to-day, I quite feel that, but I should like not to waste the hour we that have. Are the Thames Conservancy Board ready; I do not think they would be prejudiced, would they?

Mr. *Balfour Browne.*] I represent the Thames Conservancy Board too, and I really believe it would be a good deal shorter for the Thames Conservancy Board to come after the local authorities. Practically we are playing very much a waiting game. We want to know really what the allegations are to see if there is anything to answer. If there is nothing to answer, we will

not trouble the Committee much at all. We have been considering whether any evidence will be necessary and up to the present time, I do not see that any evidence for the Thames Conservancy Board will be necessary. I do not pledge myself to that, because something may happen after, but in the meantime I would rather not go on. You decided, Sir, that the case of the Thames Conservancy Board was to come before the water companies' case, that I am quite willing to agree to. My learned friend Mr. Richards is ready to go on so that you will not lose the afternoon.

Mr. *H. C. Richards* was heard to address the Committee on behalf of the East Ham Local Board.

Mr. *Meysey Thompson* was heard to address the Committee on behalf of the Richmond corporation.

Mr. FREDERICK BERNARD, senior, sworn ; and Examined.

Mr. *Meysey Thompson.*

5846. YOU are the town clerk of the borough of Richmond, which I think was incorporated in 1890, are you not?—Yes.

5847. Prior to that there was a governing body, which body, the improvement commissioners, were also the urban sanitary authority?—There was.

5848. I believe that some years ago the supply of water to what is now the borough of Richmond was given by the Southwark and Vauxhall Company, was it not?—It was.

5849. Without Parliamentary powers?—Without Parliamentary power.

5850. Did that supply become unsatisfactory, and did you apply to the Local Government Board for powers under the Public Health Act, to supply yourselves?—We did.

5851. As a preliminary to that did you send a notice to the West Middlesex Company to supply you?—We did.

5852. Is that the letter which you received in reference to your application. (*Handing the letter to the Witness*)?—It is. The letter is in these terms. "Office of West Middlesex Waterworks, 19, Marylebone-road, N.W., 1st September 1873, F. B. Senior, Esq., Vestry Clerk, &c., Richmond, Surrey. Dear Sir.—Your notice dated the 22nd August 1873 having been laid before the board of directors of this company, I am desired to inform you that they cannot undertake to afford a supply of water for the use of the inhabitants of Richmond for domestic and trade purposes, for extinguishing fires, public fountains, road watering, flushing sewers, &c., &c., as this company have no distributing mains and services laid within the parish; the two large trunk mains passing through a portion of the parish are for the purpose only of conveying unfiltered water from the company's works at Hampton to their subsiding reservoirs and filter beds at Barnes, I am, dear sir, yours faithfully, *W. H. Whiffin*, Secretary."

5853. After receiving that letter was a preliminary inquiry held by the Local Government Board, and were you then authorised to proceed?—That is so.

5854. As a matter of fact I believe you raised a loan to the amount of 70,000 *l.*?—Yes.

5855. And you established waterworks which now consist of two artesian wells, two pumping stations, a large reservoir, and about 30 miles of newly laid mains?—That is so.

Mr. *Meysey Thompson*—continued.

5856. And does that at the present time with the water you can get from the Southwark and Vauxhall Water Company, afford a good and sufficient supply?—It does.

5857. In 1874 did the Southwark and Vauxhall Water Company apply for powers to supply the borough of Richmond?—It did.

5858. Did that Bill come before Parliament, and did Parliament strike out the powers to supply Richmond on the opposition of that body?—Yes.

5859. Was a clause then inserted in the Act by Parliament, putting the company under the obligation of supplying to the corporation of Richmond when required by them water in bulk not exceeding 1,000,000 gallons a day at the price of 1 *s.* per thousand gallons?—That is so.

Cross-examined by Mr. *Richards.*

5860. You are within the limits of the West Middlesex Water Company, are you not?—Yes.

5861. Are they not under the provisions of the Waterworks Clauses Act as to giving a supply on the request of a number of residents in the district?—Yes, they are one of the eight companies.

5862. I mean in Richmond itself; cannot you compel them on the terms in the Waterworks Clauses Act to give you a supply?—Possibly we might have done so, but they declined to do it.

5863. Do you come under this provision in Section 35: "And the undertakers shall cause pipes to be laid down and water to be brought to every part of the town or district within the limits of the special Act whereunto they shall be required by so many owners or occupiers of houses in that part of the town or district as that the aggregate amount of water rate payable by them annually at the rates specified in the special Act should not be less than one-tenth part of the expense of providing and laying down such pipes"?—We are clearly within that provision.

5864. Did you apply under that Section 35 of the Waterworks Clauses Act?—No, we applied under the provisions of the Public Health Act.

Tuesday, 23rd June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.	Mr. Murdoch.
Mr. Bristowe.	Sir Matthew White Ridley.
Mr. Lawson.	Sir Henry Roscoe.
Mr. J. W. Lowther.	Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Worsley Taylor.*] SIR, I understood that this morning Lord Cowper was to be interposed as a witness on behalf of the Hertfordshire county council, I have to ask your indulgence with the same object as to my learned friend Mr. Littler, who will appear here in a new capacity as chairman of the Middlesex county council. It would be very greatly to his convenience; of course, Sir, you know what his engagements are, if it would not be inconveniencing Lord Cowper or my learned friends who represent the Hertfordshire county council, if I might be allowed to interpose Mr. Littler now; his examination in chief will certainly be short, and I do not think that probably his cross-examination will take any great length of time. I need not say that if that is inconvenient to Lord Cowper I would not press it for one moment, or if Lord Cowper desires to get away.

Chairman.] Lord Cowper has just been telling me that he wishes to get away; we had not anticipated anything being interposed this morning, and I understood we were to proceed straight with the concluding case of the London county council. If you took any time in cross-examination, or anything, it would be very awkward.

Mr. *Worsley Taylor.*] I can promise that it would be very short, Mr. Littler would be my only witness for Middlesex.

Chairman.] You want to interpose Middlesex first?

Mr. *Worsley Taylor.*] Oh no, Sir, I do not press that if it is inconvenient for one moment. I do not think you would find any inconvenience in interposing the witness; I am sure we should not prevent Mr. Moulton going on and completing his case in good time to-day.

Chairman.] If there is no objection that is another matter.

Mr. *Moulton.*] I should have no objection to those two witnesses being interposed; I do not think they will take long.

Chairman.] You must be aware that it is rather irregular, we are rather in a mess as it is.

Mr. *Worsley Taylor.*] There are special circumstances.

Chairman.] I think we will take Lord Cowper under the circumstances.

The Right Honourable The EARL COWPER, K.G. (attending by special permission of the House of Lords); is Examined:

Mr. *Balfour Browne.*

5865. MY Lord, you are chairman of the county council of Hertfordshire?—Yes.

5866. Have the county council considered the Bills which are before this Committee?—Yes, they have considered the general subject, and a committee of the council has considered the Bills.

5867. Can you tell me their views as to the effect that the disadvantages of these Bills would have upon the county interest?—They think that it will diminish the supply of water still more than it is being diminished at present; that it may run some of the rivers dry in their upper courses, and that it will considerably lower the wells throughout the county.

Mr. *Balfour Browne*—continued.

5868. That is their experience of what is taking place just now, and they think that that may be aggravated if these Bills pass?—Yes.

5869. The New River and the East London Water Companies have now power to take practically the whole of the water of the principal river through your county, have they not?—Except what is sufficient for navigation.

5870. Leaving a minimum for navigation?—Yes.

5871. I see also by their statutory powers, and also under their common law rights, they are enabled to abstract large quantities of water from the chalk by means of wells?—Yes.

5872. I will get it more in detail if necessary from

Mr. *Balfour Browne*—continued.

from some other body, but is that, in your opinion, and in the opinion of the county, doing serious harm to the water supplies of your district?—Yes.

5873. Of course you know, I dare say, that this Committee has ruled that they are not in a position at this late period of the Session to go into questions of sources of supply?—Yes; I have heard so.

5874. Under these circumstances, is it your view and the view of the county you represent, that before anything is done to prejudice the position of the county an inquiry of some sort should take place before a competent authority?—Yes.

5875. I think you have read some passages from the evidence given by Mr. Hill, of Manchester, and Mr. Charles Harrison, of the London county council, which point to the necessity for further inquiry?—Yes.

5876. Do you agree in thinking that further inquiry, especially touching the wants of Hertfordshire, is absolutely necessary before anything is done?—Yes, I think it is.

5877. Would you object to that inquiry taking place at Spring Gardens by the London county council?—Yes; I think they would be an interested body; they would think only of the supply for London; they would not think of Hertfordshire.

5878. And the question is really partly between supply for London and the supply that is necessary for Hertfordshire?—Yes.

Mr. *Lewis Coward.*] I ask no questions for the Kent Company.

Cross-examined by Mr. *Rickards.*

5879. I will only ask this question: You do not suggest that the water authority should be precluded from availing themselves of water from the New River Company for the supply of London in the future, do you?—No, I think that we are suffering already from some of the wells that have been sunk by that company; and of course we should like to have that existing injustice removed; but what we are chiefly anxious for is to prevent any increase of it.

5880. Of course, as you are aware, the New River itself is an artificial river, created for the purpose of water supply to London?—Yes.

Mr. *Lawson.*

5881. I should like to ask you whether you see any damage that is likely to accrue to Hertfordshire if the powers of the new authority are only the power now exercised by the water companies?—Yes; there is harm being done now. During the last 10 years there has been a decided diminution of water, which is by many people traced to the action of these companies in pumping water from the chalk.

5882. Yes; but Hertfordshire would be in no worse position under the new water authority than it is now, would it?—Yes, because they take extra powers of buying land and sinking wells by this Bill.

5883. If there were no further powers exercised than are now exercised by the companies?—Then the same amount of harm, and no more, would be done that is being done now.

5884. You do not suggest, do you, that Parliament should go back on the statutory rights of the companies?—I think if the existing rights are transferred to another authority, we might perhaps put in a claim to have our interests more guarded than they were when the last Act was passed.

Mr. *Balfour Browne.*] If you will allow me I will promise to address myself to your question, and I hope to answer it, Sir.

Mr. *Bolton.*

5885. We have been told that the East London Waterworks Company have unlimited power of taking water from the district which you represent. Do you suggest that there should be a restriction or a limit placed upon the power to take water by the East London Company, or by any company acquiring the rights of the East London Company?—We are anxious that they should not have more powers than they have now, but I do not think the power is unlimited.

5886. We are told that there is no restriction on the quantity of water which the East London Company take?—From the river itself?

5887. Yes?—The wells are what affect the upper waters; of course, taking from the river itself only affects the lower part of the river. What affects the majority of the people in Hertfordshire, who live above the point from which they take the water, is the sinking of the wells, and in the Bill they wish to have new power of buying land and sinking new wells, and therefore will do the people who live in the upper parts of the river more harm than they do now.

5888. I am afraid I have not quite made myself understood. We are told that the East London Company's power of taking water is unlimited?—It is not unlimited as far as the wells are concerned.

5889. The other water companies taking water from the Thames are restricted to a certain number of millions of gallons a day. We are told that there is no such restriction with regard to the East London Water Company?—From the river itself?

5890. From the river itself?—But the wells are what we complain of; the power of sinking wells and draining the water from the chalk is the chief objection.

5891. Then you do not ask that any restriction should be placed upon the power of taking water from the Lee River?—I do not think that has been asked.

Mr. *Baggallay.*] If there is any question arising as to the power of taking water from the River Lee, I do not know whether you would then shut out the evidence of the New River Company and the East London Water Company to take water from the River Lee. Of course it is part of our case that the quantity and quality are sufficient, and of course we should ask to give evidence upon that point.

Chairman.] The Committee have already said they cannot be in a position to express an opinion

opinion on the quality or quantity of the water of any of the water companies.

Mr. *Baggallay.*] After the questions that have been put it seems to become necessary in the interest of these companies to show what their position is with regard to taking water.

Chairman.] The evidence which Lord Cowper has given appears to me (subject to what we may discuss) to come to this: that as their interests are deeply involved even at present in connection with the wells, there ought to be a full inquiry before an independent body before any new rights are acquired by anybody else in the powers of the present water companies, and I do not see how the water companies are prejudiced by that expression of opinion. Of course, the water companies will have an opportunity before this Committee of stating their case, and if anything has been said by any witness before this Committee which they think requires denial, very shortly, I do not think the Committee ought to preclude them from dealing with it. At the same time, I think I may express the opinion, on behalf of the Committee, that they themselves would be very careful not to express any opinion that there has been any disparaging evidence given of either the quality or the quantity of water suppled from the rivers.

Mr. *Richards.*] I suppose it is quite clear to the minds of the Committee that the powers of the East London and New River companies to pump the water from wells is quite unlimited; that is present to your minds?

Chairman.] Yes. You wish to interpose Mr. Littler, and I think it is a very fair request we know what Mr. Littler's engagements are I hope (and presume) his evidence is not going to be very long, because we were not prepared for the interposition of any evidence.

Mr. *Worsley Taylor.*] His evidence is contained in this sheet, Sir.

Mr. R. D. M. LITTLER, C.B., Q.C., sworn; and Examined:

Mr. *Worsley Taylor.*

5892. YOU are chairman of the Middlesex county council?—I am.

5893. And also chairman of the Middlesex quarter sessions, and a deputy lieutenant for the county of Middlesex?—I am.

5894. I think also you live in the county yourself at Palmer's Green?—Yes, I live just between those two places, Bourne Hill and Highfield, on the New River Supply, just a little to the south of Bourne Hill, and rather nearer to Bourne Hill than to Highfield.

5895. And you have lived there some years, have you not?—I have lived there about 17 years.

5896. Are you also chairman of one of the local boards; Wood Green?—Yes, I am.

5897. So that in various ways you have become familiar with the necessities of the locality in respect of water?—Yes. I may say that the Wood Green Board district is just to the westward of the Tottenham district. It is supplied by the New River Company also, but it is to the westward of the Tottenham district.

5898. I want just to ask you a question about the constitution of the council with the local boards who are in your area and the relations between them. First of all, I think that your own council is a very strong and influential body; gentlemen who have taken an interest in this and county questions generally?—Yes; we have ever Member of Parliament in the division but one as a member of the council; and I think four members of the other House.

5899. And turning to the other side, I think you have within your area something like either 29 or 30 local authorities?—Yes, we have altogether.

5900. What have been the relations generally between your council and these local authorities?—We have had the most admirable relations possible; and as regards this matter all the local authorities are looking to the county council to protect their interests, and are at one with us in every respect.

Mr. *Worsley Taylor*—continued.

5901. So that you undertake to represent not only the views of your own council, but those of the local authorities, at all events, generally, on this question?—Quite so. Some of them have petitioned this Committee, others have not, but those who have, have left it in our hands, and those who have not, have intimated that they did not think it necessary to petition so long as the county council looked after their interest.

5902. As we see from the cartoon and as has been explained several times here, your Middlesex county council area is within the existing area of supply of certain of the water companies?—Yes; all the intakes on the northern side of the River Thames are within Middlesex. I mean of the Thames intakes within the dark slate colour, so far as it is outside the London county boundary, you see; then there is the other which I think is West Middlesex, there is the Grand Junction, the West Middlesex, and the New River, all of them have powers, but in some cases powers which are not exercised, but the greater part of them are exercised within the county; a very large proportion of the thickly inhabited county is supplied in one way other by the existing London Water Companies.

2903. So that, not only as to a great part of the county, are you within the existing area of supply of the water companies, but the actual sources of supply are within your county, and therefore are such as you have a claim to?—That is so. On the west there are pumping stations and wells in the county as well as the Thames at Bourne Hill and Highfield, and also at another place which is marked Betstile there. From the Bourne Hill and Betstile wells I should say (although I am not certain of it, but I should judge so from the amount of water that I know is got from the two pumping-stations, Bourne Hill is a reservoir by the way, and not a pumping station) a very large portion of the water is supplied to the two northern districts of the New River Company.

5904. There are also within the county in-

Mr. *Worsley Taylor*—continued.

dependent waterworks companies?—Yes, there is the Barnet Company, which supplies the intervening district; there is the Rickmansworth and Uxbridge local board, there is the Tottenham local board, and, I think, one or two minor ones; but those are the principal ones.

5905. So that there are a number of matters which were given the fullest consideration to in dealing with the water question?—We think so.

5906. About the population; can you give me any figures as to that?—In 1871 the population was 320,000; it is 570,000 now.

5907. So that you agree with the evidence which has been given that the outer part of London is increasing and very rapidly?—Very rapidly; and in some parts of the county it will be a serious matter for consideration how the water is to be provided, especially if attacks such as Mr. Webster (I think it has been spoken of to the Committee), is making upon the water supply of the district are made.

5908 Will you explain what you mean a little by that?—There is a gentleman named Webster at the western end of the county who has sunk some wells on his own property, and availed himself of the law which is so well known in the case of Chasemore *v.* Richards, to do that which is certainly what I know nobody contemplated when that law was determined by the House of Lords, that is to say, having sunk his wells, he has made arrangements with his neighbours for wayleaves, without any Parliamentary (or other) authority whatever, and is proposing to sell 10,000,000 gallons of water which does not belong to him, to the London companies. As there is no property in water, I say advisedly, it does not belong to him, but unfortunately nobody can stop him; although it is not his, it is no one else's, it is a sort of *ferae naturæ*.

5909. What that tends to we will come back to presently. That is a fact we can use hereafter. To put it very shortly, I suppose you agree that this matter between you and London can be settled in three ways, or by one of them, by severance, by supply in bulk, or by supply in detail?—Yes; those are the three ways. We have considered all the three, more or less.

5910. Do you consider that you are in a position to say now, at this present moment, definitely, which of those three would suit you?—No; it is a very difficult thing to decide on without more information than we at present possess. I confess that my own feeling, and, I think, the feeling of the majority of our population who have considered it, is that we should be absolutely independent, and have our own water supply from source to delivery. We are now (and have been recognised by the Local Government Act recently) an absolutely independent county. We get on extremely well with London, so long as we are independent, but I am bound to say that the experience both of London and ourselves in the apportionment of the debts between us, which we did very satisfactorily, was certainly on both sides, I think that we did much better, as being adjacent and independent powers than we should have done by having common relations between ourselves which might lead to disagreeables. So long as we are each in our own house we do very well. I think, however,

Mr. *Worsley Taylor*—continued.

that if we were to set up in lodgings with others, there might be the usual disagreements which do take place amongst lodgers.

5911. Then if I follow you rightly, you agree with the evidence which has been given by, I think, every witness who has been called on behalf of the county council, that before these matters can possibly be settled a considerable amount of inquiry and negotiation is absolutely necessary to arrive at a fair result?—I am very strongly of that opinion. Just take one illustration. You see *there* the Grand Junction with the West Middlesex. Now the Grand Junction, as far as area is concerned, very largely supplies, I do not think probably by any means like the same amount as the county council area, but the Grand Junction supplies a large area outside, and it supplies a small but very rich one inside. Again, you see there is the West Middlesex supplying a considerable area inside and a considerable area outside. Now it might actually be that it would be a very great advantage to the two companies that some arrangement might be made, either that Middlesex, on terms, should take the intake of one of those companies and the area beyond London, London taking the other intake and the area within London, a re-arrangement. Well, a matter of that kind of course requires a great many considerations. First of all, it requires engineering considerations. I have not the slightest doubt it can be done, but I do know that there are certain engineering difficulties in doing it, which, as I say, can be got over, but which require consideration. Then, again, with regard to the New River Company, I am very strongly of opinion that whatever happens with the Lee those two pumping stations at Betstile and Highfield ought to be devoted to the county of Middlesex. The district below the Hertfordshire district is a very important district of ours, also supllied by the New River Company, and I am satisfied that, if we had such a scheme as that, we ought to take to Betstile and Highfield. Then there ought to be a very careful consideration, first of all, as to how much London could afford of the New River supply, and how much we could afford to pay for the New River supply, which comes from Hertfordshire, from the River Lee itself or from the intakes of the Lee and the wells at Chadwell. Those are things that require very careful consideration, and it might be that in considering them we might find that, owing to our financial position, we should not care to do it. I mean to say, we are very peculiarly situated. We are rated for police to an extent that no other county in the whole kingdom is. We get the least proportional allowance of all the Votes granted by Parliament under the Local Government Act, and we are, although a very large population, in rateable value an extremely poor county. Therefore, although we might desire it, we should not think it wise to submit ourselves to that operation without inquiry. I mention this (I am afraid rather at great length) for the purpose of showing that there are difficulties in our way in at once saying what course we should take. I have no hesitation in saying what course we should like to adopt. We should like to own the whole

of

Mr. *Worsley Taylor*—continued.

of the water ourselves, because we have a strong view that it is our duty, as a county council, to afford every assistance we can to the development of the county, and to do it through the county council itself in conjunction with the local authorities; but we cannot always do what we would like to. I may just give you an illustration of that: Last year we gave nothing to technical education, because we could not afford it; (we pay for police) at the same time we are desirous of doing what we can. Then again there is a second course which might be adopted, which would want careful consideration, both as to funds and everything else; that is, to supply in bulk. Then if we could not get that which is the next best thing to my mind, we might be driven to what I should very reluctantly go to; that is to take our supply in detail from the London county council as an outlying district in the way that some places do from Liverpool and Manchester, from the corporations. I am bound to say I have some experience in these rooms of the results of those cases, and I do not take the same rosy view of them as corporations do. I do not think they are good for outside authorities. I do not need to go into reasons, but I want to show, as shortly as I possibly can, the difficulties which are in the way of our at once deciding what course we should like to adopt.

5912. In order to decide fairly between you, it would be necessary that both sides should have the whole of the facts before them?—Certainly, and independently before them, I think ——

5913. In your view, and in the view of your council, all this points to an inquiry as the first essential thing?—I think it is absolutely essential, because, if I were to be asked by the Committee to consider it, and in detail to say this Session what should be done, I should be obliged to tell them that I had not the materials at hand, nor has anyone the materials at hand; if I were to devote the whole of my time to it I am sure I could not tell at present what result I should advise my council to arrive at.

5914. In that point of view you, having a desire to settle the matter, and the county council have a desire equally to do so, if there were such an inquiry as you have suggested, would that in all probability lead to agreement on the greater part of the points at issue?—I am quite sure that it would, and again I may give an illustration. Under the Local Government Act a large portion of Middlesex being amalgamated with London and taken away from them and given to Middlesex, there were very difficult questions to decide between the two counties, amounting, I think, altogether to a million and three quarters of money. I had the pleasure of meeting Lord Rosebery about that; we went through it in the most careful way that we could; and the result was that, with the exception of three points, we settled everything between ourselves when we had got the facts; but then we each of us had had to work up the facts from the two sides. We came together, but with the determination that neither of us would attempt to get the best of each other, and to do the best we could for our counties fairly. The result was that in three-quarters of an hour we got everything but the three points settled.

Mr. *Worsley Taylor*—continued.

5915. How were those three points which you could not settle by agreement decided on between you?—We went to the Commissioners appointed under the 1888 Act, who, as you know, are equal to Parliament for that purpose, because their award is to have the effect of an Act of Parliament.

5916. So here if you failed to agree on certain points, they would, as a result of that inquiry, be narrowed down and more shortly settled by Parliament if you could not agree on them?—I think so. We should know what the issue was, and could show and present the issue to Parliament almost in the form of argument. We should want but little evidence, if any, to settle the whole question afterwards; but I am quite sure at present it would be an interminable business to present to Parliament anything that would satisfy it.

5917. So that, as I understand, you ask for inquiry, and are against the power being given to any authority, no matter who inside London, to buy first and settle afterwards?—Most emphatically; *non possidentes*, to begin with. In the next place, it would be starting the precedent of an outside authority having control in our council, which I think we rightly do not want. It is not a case of jealousy or dislike of outside authorities, but we know what we want, and we know what our people want; and I am quite sure that I represent the unanimous view of my council in saying that if we could prevent it, we would rather have no outside authority. There is another illustration which I may give, by the way, with regard to the lunatic asylums. We had four lunatic asylums. When we came to discuss the matter with London we found it was difficult to arrange for joint control or joint management of any one of those asylums; and, after a great deal of discussion, Lord Rosebery and I agreed that it was much better they should have the whole of our county council's asylums, and we actually took an asylum at Wandsworth, outside our county, in order to avoid the dual control. Of course, Wandsworth is extremely convenient for a very large portion of our county; perhaps as convenient as most places; but that just shows the strong feeling we have always had that we ought to be masters in our own house, and London was equally of the same opinion.

5918. The next question is, have you formed any strong opinion as to how that inquiry should be conducted. whether by Royal Commission, as has been suggested, or by what is called a statutory committee?—That is a matter, I think, on which the Committee can form a better judgment than I can, because they have followed it very closely; but there is one thing I should like to say about the committee. I should strongly objeet to its being a joint committee, for this reason: it was exactly the difficulty that Lord Rosebury and I felt about the asylums. On any management, naturally, the larger authority requires a stronger share of the control; and if you are in a minority in the first place; if you are in a constant minority, my experience of joint boards is that constant irritation arises on subjects on which there ought to be none; more or less difficulty arises; then those who are out-voted do not like it; and in addition

Mr. *Worsley Taylor*—continued.

addition to having been, as it were, part of the authority, and having been out-voted, there is always considerable difficulty in presenting your case afterwards to Parliament, even if you get a chance of going to Parliament, whereas if you are an independent authority, just as our two apportionment committees were meeting together, we may take the illustration of larger and smaller sovereign powers meeting at a conference table, each power has its own independent rights and can do what it pleases. I should say we should be far more likely to arrive at a friendly conclusion by having consultative committees than by having a representative committee. For my own part, I am strongly against any representation on a committee of that kind. I would very much rather stand outside, and let them come to their own conclusions, and present my own case in Parliament, than have a joint committee; but I think it most desirable that consultative committees, or committees with equal powers, should be able to meet in conference, and discuss, as I have said, the different points between us, and if possible thresh out an agreed scheme for Parliament, that we should say where we agreed and where we differed, and to let Parliament say which is wrong on those points on which we do differ.

5919. You want the means of enabling you to treat and to consult with whatever Committee they may appoint?—Certainly. There is some advantage in a Royal Commission, because a Royal Commission does not consist of a number of persons, who from the nature of things apparently lean to their own side; a Royal Commission would be a body of impartial people of great ability, who would let us all say our say, and they would come to certain conclusions; but there, again, I think there is one disadvantage in that, that is, that sometimes Parliament is rather apt in a complicated question to take the conclusions they arrive at rather than their own; but with consultative committees they would not. But there is an advantage in a Royal Commission, because they have the means of calling every one before them and compelling attendance and getting evidence which a committee might not have. If you have the committee you ought to by legislation to give it as full powers as a Royal Commission. I confess that on the whole my own disposition would be towards committees. Still, as I say, there are advantages in a Royal Commission, which I venture to think the Committee can judge of better than I can.

5920. Only one other word. You are aware that in a Bill which was suggested by the county council, they ask for power to promote Bills in Parliament?—Yes.

5921. In your view, with the intention of arriving at an agreed result, ought that power to be extended to the outside authorities?—Certainly; because, although I entertain as a lawyer, very strongly the opinion that the Local Government Act did not prohibit county councils promoting Bills (it only provided that they should not do it under certain circumstances) still we are very frequently told that we have no power to promote a Bill, at all events we should be in the pleasant position, even if I advised my council to go on with a Bill, that some one or other might surcharge us; and gentlemen who are giving their time to the county are not very keen about running the risk even of being surcharged. I think that would be one of the advantages of the preliminary provisions, that you would enable persons to be clearly entitled to come to Parliament who are not now clearly entitled to come, we and Surrey and Kent and all the rest upon this very great question. I may be wrong, but that is my own opinion, we have the right to do it under certain cumstances; at the same time it would be very much better that we should have authority to come to Parliament to promote or oppose such Bills as we think right in the discussion and decision of this enormous question; because one cannot shut their eyes to the fact that we are more interested in it than London is; we are doubling our population every 10 years, whereas London is not; and in addition that we are getting out into a district where it is most important that we should have the fullest consideration as to how our water is to be got out to Harrow and Edgware and all along there, there is an enormous open country which inevitably will be filled up, more or less; I hope it will not be our time; the green fields are going more and more, and there is an enormous question to be decided in which places like Barnet, Chipping Barnet, and others that you see on that cartoon are greatly interested as to what is to be done, and I should deprecate the buying of the water companies until something has been settled with regard to how we are to have a voice in the management of our county; if the London people buy the whole of the water supply now in question, I think it is inevitable that they will eventually buy the water supplies of the whole county, which I for one, think would be disadvantageous. I am quite prepared to give my reasons, founded on what I have seen in other places, and my experience in these rooms; it would be merely giving my experience for what it is worth, but I am quite sure there ought to be no power to buy the water companies until the principle on which they are to be bought is settled.

5922. And not as was the case with Mr. Webster, to buy land?—Certainly not; to buy land is only another way of getting over the difficulty; because according to what has been called the Vestries' Bill they might go and buy Mr. Webster's pumps, lock, stock, and barrel, and pump the whole of that part of the country dry.

Cross-examined by Mr. *Bidder*.

5923. If I understand your view, the matter in respect of which you desire further light and information is as to the ultimate arrangement between yourselves and the London county council or the London Water Trust, for the partition of the undertakings and sources of supply on the north of the Thames?—That is so.

5924. You have entertained no doubt as to the expediency of the water supply going into the hands of a public authority?—Those who have as much experience as you and I have about that, know that in some cases that is an open question even; but if you go into that I am afraid

Mr. *Bidder*—continued.

afraid we shall detain the Committee a very long time. I am by no means sure that London is not very well off as it is, but it seems to me a foregone conclusion that the water companies are to be bought up, and if so what I desire is, is that I shall be present at the purchase.

5925. You are only echoing my own sentiment; you and I will not quarrel about that, but it is heresy to say so here?—I am afraid it is heresy to say it now.

5926. I understand the point upon which you want light and want information is as to the relative details of supply and of apportioned value, which would enable you to decide whether you will take such and such portions of the undertakings of the water companies, or whether you will come arrangement with the London county council to supply you in bulk, or come to some other adjustment?—Quite so, either in bulk or in detail; but what I want is to have no foregone conclusions.

5927. So that your views of the desires of the Middlesex county council are to be secured, if ample opportunity is given, and time for that consideration and the acquisition of that information?—Quite so.

5928. Before you are compelled to elect as to whether you will purchase a portion or come to some other arrangement?—Quite so. I just want to say on that, it seems to me it is not well if we are eventually to have, say, the Grand Junction district, that the other part of the Grand Junction should be taken into London; that at first London should buy, and then that we should buy from London. It is very much better that we should go and have it settled at once.

Cross-examined by Mr. *Moulton*.

5929. If I have understood your evidence, it comes to this: You think it is most important that both the London county council and the Middlesex county council should have the full information that is obtained by inquiry, before a settlement is made between them?—Certainly. I do not think the London county council have any means of knowledge which we have not, and I confess, trying my very best to follow it out, I cannot come to a conclusion now. I do not know that they have any other means of knowledge; they have been most courteous to us, and given us all the information they could on the matter.

5930. In deciding what the settlement should be, you think both parties ought to have free hands as bargaining parties?—Certainly.

5931. And you then, I understand, would be quite satisfied if the London county council were to make the proposal, provided you were absolutely unprejudiced in coming before Parliament to shape it in accordance with the wishes of your county?—And had the opportunity of being present and taking an interest in all the preliminaries; I think that is of very great importance.

5932. The preliminary inquiry in order to obtain knowledge?—Certainly; I should desire that some members of my council should have an opportunity of attending those inquiries, and sitting there; if you call it a tribunal; as part of the court of inquiry but independently, and not merely as a part of a body, say 20 for London and three for Middlesex; in the proportion it would be 21 to three, because seven-eights of Middlesex has gone to London.

Mr. *Moulton*—continued.

5933. But that inquiry I understand would be for the purpose of obtaining information?—Certainly.

5934. Your experience with regard to negotiations is that it is better for both parties to stand independently, the one to propose and the other to make counter propositions, but to work absolutely independently in making a bargain?—Most emphatically.

Cross-examined by Mr. *Rickards*.

5935. Which do you propose should have the control of water outside London within Middlesex, the county council or the local boards?—That is entirely a question which we should settle with our own boards hereafter, but I should think the probability is that the boards would rather desire as they are small compact are as lying adjacent one to another, that the county council should undertake the responsibility of the whole; but on that matter I should very much consult the wishes of our local boards, they are most of very keen about their work, and do it very well. Of course there are many things to consider; for instance, Tottenham has its own supply; Tottenham might say: We should like you to take that over, and bring it into the general pot, so as to speak. Uxbridge has its own supply; then there is the Barnet Water Company. Our constituents might wish to buy up the Barnet Water Company hereafter, and to get the whole control; but I think that is a matter of detail between ourselves after the whole thing is disposed of otherwise.

5936. Do you carry in your mind how much of the county of Middlesex is outside the present metropolitan water area, and how much within?—I could have given you it exactly if this geological map had not been in the way. If you follow the River Thames.

5937. I mean the proportionate pay?——

Mr. *Bolton*.

5938. *That* map shows it, does it not?—Yes; that white portion is Middlesex, it takes in a little bit of green, if you run it up to the word "Sunbury," *there*, and by the letter "E." in Thames up to the Colne.

Mr. *Bidder*.] If you look at the map behind you that will show it.

Witness.] Yes, that shows it exactly. I am much obliged to you.

Mr. *Rickards*.

5939. The water area is the question?—You want to know how much of the water area.

5940. How much of Middlesex is outside the metropolitan water area?—You see it here on *this* map.

5941. I do not see the boundary of Middlesex itself?—If you take Middlesex, it comes about half way between Fortis Hill and Cheshunt, below Potters Bar, down by Chipping Barnet, and

Mr. *Rickards*—continued.

and half way between Watford and Pinner until you come to the River Colne.

5942. Do you know whether the metropolitan water area is, more or less, than half of the county of Middlesex?—I should think it half in area, certainly not in population.

5943. But in area?—Yes, in area.

5944. Then I take it you favour the proposition that the county councils should supply water if they wish to do so?—As I say, I favour the idea of leaving the companies alone, and I have nothing to do with who does it in London; all I care about is, if there is an alteration, that we should do it in Middlesex.

5945. If there is an alteration you would prefer that the county council of each county should provide its own water, apart from the local boards?—No, I do not know that; it might be the local boards would say: Very well, you take the water, you control the supply, and we will take it in bulk at our boundary. It might well be they might some of them wish to do that. It is a matter I think for arrangement between ourselves; some local boards might say: We would rather you took the whole; some might say; We want to look after the waste and everything else, and would rather have our own. And certainly in my own county we should not stand in the way of any local authority doing that which it thought best for its own interest, unless we thought it distinctly the worse.

5946. What would be the difficulty of making this arrangement with the central authority?—Because the central authority would have bought for itself the water supply which they might be unwilling to give up, or they might be unwilling to give it up on our terms. We might say, We elect to take the water supply, and then find ourselves saddled with an enormously larger sum than we anticipated; it is far better we should buy it, in the first instance.

5947. In that case the outside authority, I suppose, would have to give way to it?—That is exactly what I do not want to do; I do not want to give way.

5948. You wish to preserve to yourself a free hand in this inquiry to oppose any Bill brought up by the London county council for dealing with this supply?—I have explained that I should desire on any points on which we differed to have the right of appearing in Parliament, not as part of a constituent body but as a separate body, and I should hope from the spirit of the London county council and the City, that there would be very few points in dispute between us.

5949. And the poor county of Middlesex will have to come to Parliament then, and oppose any Bill promoted by the county council?—It would have to do what it is doing now; it is opposing your Bill now, and it would have to do the same thing next year.

5950. I think there are a great many oppositions you would have to undertake under those circumstances. Have you formed any idea as to how long these negotiations or inquiries will take?—It would depend entirely; that is possibly one reason that a Royal Commission would be desirable, because it would probably sit *de die in diem*; but I do not think it ought to take very

Mr. *Rickards*—continued.

long. There would be certain specified points inquired into, and upon those specified points, they would be prepared to have all the different engineers before them and the different companies. They would get the statistics together, and I do not see why it should not be done within the next Session of Parliament. Notice could be given widely enough to do it, so that, in point of fact, they would have until December, that is, until they deposited their Bill for any scheme, and I do not see why it should not be done next year. I certainly think it would be better, very much better, to wait until next year than to jump now.

5951. Next year?—Or the year after.

Mr. *Bidder.*] In fact, the longer the better, Mr. Littler.

Witness.] There is no pressing hurry, because there is no quinquennial valuation until five years hence. So long as it is done between this and then it is time enough; but certainly it is so enormous a subject that it is far better to do it gradually.

Mr. *Rickards.*

5952. Apart from quinquennial valuation, you are aware that the market value of the undertakings has increased each year in proportion to the capital issued?—That is simply because they have been doing well; you cannot help that.

5953. You think that a tribunal like that provided by the Local Government Act of 1888 could assist in getting over difficulties between you and the other bodies?—I am quite sure they would. Lord Derby and his colleagues have settled the differences all over England, and although those who have got the worst of it may be dissatisfied for the time, I do not think there is a single decision they have given that has not given reasonable satisfaction. It is a strong commission; they give their decisions very promptly after they have come to a conclusion; and I should be perfectly content if Lord Derby's Commission could take it, for it to go to them, but I do not suppose they would.

5954. If a sufficiently strong board of that kind was constituted here, you would anticipate the same results?—I should; and before such a tribunal as that I should have the liberty of discussing the matter hereafter when I came to Parliament. As I say, the only objection to that is, that so strong a commission as that would naturally bias Parliament in its favour in case I happened to get the worst of it there.

5955. But you would still preserve an appeal to Parliament?—Certainly.

5956. An appeal on the amount of assessment?—I do not go into details of that kind.

5957. Or rather an appeal on the amount of the liabilities and the adjustment of liabilities between the counties?—Certainly.

5958. You would wish to have the power of appeal upon that?—On any main question on which we differed I should desire to have the decision of what I regard as the best tribunal in the world for these purposes, viz., a Parliamentary Committee.

5959. With regard to the Royal Commission, I suppose you would agree that the Royal Commission

Mr. *Rickards*—continued.

mission could determine the sources of future supply?—There again I should say that that was a matter on which Parliament would probably not like that a Royal Commission should interfere; and I do not think that, however strong a Royal Commission might be, either the people of London or Middlesex would be quite contented that it should not be decided by legislation. The question of this London water supply is an enormous question; it relates to the supply of 5,000,000 of people: it is one of the most important pieces of legislation that Parliament could undertake.

5960. But the sources of future supply would be a fit subject for a Royal Commission, would it not?—I do not think so; I think it would be much better for Parliament itself to deal with it.

5961. Could that inquiry by the Royal Commission take place after the purchase of the companies?—If the companies were purchased one of two things would be settled; that is to say there would be a purchase body on which we certainly should not be. I want to be the purchasing body if I can afford it for my own county; but if you go and buy it and then leave me in the position of having to fight that question whether I am to buy it back or not, that would be the most extravagant way, the most indefinite way, and to the outside authorities the most unjust way.

5962. I suppose according to the views put forward by the London county council, the companies will have to be purchased?—As I have said before, that seems to be a foregone conclusion. I have my own notions about that, I think we are doing pretty well as we are, but on that I stand so very much alone that I do not say anything about it.

5963. But you think the principle on which the companies should be bought could first be settled?—Certainly, most distinctly.

5964. By a Parliamentary Committee?—If necessary by a Parliamentary Committee; but I should think that is exactly the thing which the inquiry Committee, or the preliminary Commission (whichever you like to have), would assist Parliament enormously in, by finding out some basis which they would submit, and which probably would meet with the approval, I should think, both of the companies and of the authorities.

5965. Would not this Committee of Parliament be sufficient to settle the principle upon which the companies should be bought?—I do not know; I have been here a good deal, and I have read everything that has taken place here, and I must say I cannot see that there is sufficient before anybody yet to decide the principle of so important a matter.

5966. I mean the principle of compensation?—No, you cannot settle that. The principle of compensation will have to follow the general law, I should think; it would be most unjust if it did not. There is a law affecting the purchase of all these things, and that law ought to be carried out.

Re-examined by Mr. *Worsley Taylor.*

5967. Only two points. My learned friend Mr. Bidder has been suggesting to you that the points on which you want information are the relative apportionments and the matter of value as between you and the London county council; but are there preliminary questions, as, for instance, of knowledge.

Mr. *Bidder.*] Mr. Worsley Taylor, you may trust him to know what he means, and not lead him. He is not a bucolic witness.

Mr. *Worsley Taylor.*

5968. Are there preliminary matters on which you would also require knowledge, and, if so, would you say what those are, as to engineering capacity and so on, to satisfy my learned friend Mr. Bidder?—First of all, before one could settle a question of that kind he would have to have further knowledge than we have at present as to the engineering capacity of the intakes, as to the pressure, as to the arrangement of the pipes, the mains, and so on, for the division between the two districts. That is a thing which is absolutely preliminary to any knowledge of whether or not we ought to buy as Middlesex. I am dealing only with Middlesex; I have nothing to do with anybody else.

5969. Quite so?—Then again with regard to other places, Betstile, Highfield, and so on, one would want to know how much water they could supply to the county, how far the present arrangements were satisfactory, and so on, and whether it would be better that on the whole we should continue part of a large system or whether it would be better that we should be divided. That is just an illustration (not to spend the time of the Committee) of the sort of thing. I could suggest a dozen other points. If I were giving instructions for an inquiry and stating the points I should ask an engineer to consider I could write down a dozen off-hand; but that is an illustration.

5970. Are those facts within the knowledge of the water companies and nobody else at present?—Some of them absolutely, and most of them largely, and I do not see any way in which they could be made to give the information except before a Parliamentary Committee or a Royal Commission.

5971. My learned friend Mr. Moulton puts to you that you want to negotiate independently, but in your view must there be full knowledge on both sides to enable this to be carried on at all?—Most distinctly. I want to be present at every negotiation, and to be present independently.

5972. You have no objection to the county council knowing all the facts on your side; all you ask is equal knowledge of what may come to them?—Certainly not, just as in the apportionment we each of us gave every figure we could find to the other.

Mr. *Lawson.*

5973. I do not quite follow your evidence in regard to the mode of inquiry; when you talk about inquiry by a committee, do you mean a ceparate inquiry by committees of the two county councils?—No, Sir, what I thought would be a probable course would be to have an independent committee appointed by each council, and that it would he simply a com-

Mr. *Lawson*—continued.

mittee of inquiry, and not to do anything more, so that we might each be present at every inquiry that was held, each taking our own independent action upon it. I regard the committee, you see, as a means of getting information, each getting the same information from the same sources, and my view is that very probably we should come to almost an entire agreement.

5974. As between yourselves?—As between ourselves

5975. Not as between you and the water companies?—Oh, no. Then we should know the exact lines on which we could come to Parliament, whether for compulsory purchase or otherwise. It might be when the water companies came before us we might ascertain and agree upon the lines of a large purchase, which would save an enormous amount of money and avoid the necessity of arbitration; at all events we should know exactly the lines on which we were prepared to go; and on that the probability is we should have an agreement between ourselves at the end of that inquiry.

5966. But those committees could only elicit the facts by the favour of the water companies?—I should presume that if such a committee were appointed, probably the Preamble of the Bill which was brought in would be that whereas it is expedient that the water companies should be purchased, and whereas it is expedient that further information should be obtained, and such-and-such powers given. Then I should compel the water companies to attend before that committee; otherwise there is a clear advantage in a Royal Commission.

5977. To furnish information of all kinds?—Quite so. As I pointed out that is one consideration for a Royal Commission in preference to a committee, unless you give the committee statutory powers. The Royal Commission could compel, of course, the production of papers and documents.

5978. You have heard the evidence here, or a good deal of it. Are you aware, that witnesses in suggesting a Royal Commission, have almost confined their inquiry to the possibility and expediency of a new supply?—You might have two Commissions, one upon the acquisition and the other surroundings, and one as to supply, or both; but I should certainly deprecate its being confined to sources of supply, because the pressing thing, of course, now is to know what is to be done with the present water, and what is to be done with the present districts. Everybody knows that the Thames and the Lee give a supply of water which people more or less agree as to the quality of, and which will be sufficient for some time to come.

5979. "For some time to come," you say?—For some time to come. The main trouble is that each quinqennium gives the water companies an enormous amount which they say is not, but which a great many people say is unearned increment; and the first point to settle between this and five years hence is how to get over that difficulty.

5980. If those committees were appointed, they could only of course decide the matter by agreement with the companies, or by presenting a plan to Parliament, which would have to be discussed before such a Committee as this?—Quite so, Sir; and I do not think we can get much further forward (I wish we could) for want of information.

Mr. *Lawson*—continued.

5981. A Royal Commission might do more. A Royal Commission might be empowered to settle the question, almost to act in the place of arbiters?—The Royal Commission of course might be as wide as the one we have mentioned under the Local Government Act, which practically has the power to do as it pleases.

5982. Is not there the case of the Railway Rates Commission. I do not know whether it was a Commission or not, on which Lord Balfour and Mr. Courtenay Boyle sat?——

Mr. *Murdoch.*] That was a Board of Trade inquiry.

Witness.] Yes, that was a Board of Trade inquiry; but that was entirely subject to confirmation by Parliament; and it seems to me that Parliament is going to be as long about it as they were at the inquiry. That is the result of it.

Mr. *Lawson.*

5983. You do not think there would be any advantage in an inquiry of that kind?—I am afraid not; I am afraid that would be the means of doubling the expense. I think the cheaper an inquiry is the less expensive, the better, because where the necessity and the magnitude are so great just as in the case of the railway rates, Parliament, if I may say so respectfully to Members of Parliament, should not delegate its authority as to so important a matter. I think it is a thing which ought to be considered by Parliament with full information.

5984. You do not think any arbitrators ought to decide the matter without reference to Parliament?—I think not; I think it is too important.

5985. Not even if the principles were to a certain extent laid down by this Committee?—I think, Sir, it would be difficult, myself, of course one would have to consider what that principle was very carefully, and, respectfully, my own view strongly is that it is a matter which ultimately Parliament ought to decide for itself, both in justice to the water companies and also in protecting the kingdom almost to which it extends. You will remember that London is something like as large as Scotland in the population that you are going to affect.

5986. Do not you think there is very great urgency in settling it before it gets too far away from the last quinquennial valuation?—You see, Sir, we have got five full years at present.

5987. To the next?—To the next.

5988. But rumour says the water companies might be disposed to deal on the basis of the last valuation?—My own view is, and I have had some experience in the compulsory purchase of things for railways, and in the case of other properties, that very often people will do a great deal more by agreement than by compulsion. As soon as you get to compulsion they say, "Very well, now we must take whatever is given to us; we will not take the responsibility as directors; we must simply go to the arbitrator"; and often I have found, especially on the large properties

Mr. *Lawson*—continued.

properties, that you can do much better by agreement than by compulsion.

5989. There is another point; do not you think that Parliament might be unwilling, after the experience of 1880, to take upon itself the decision of the bargain to be made as between the companies and the corporations?—I think that is very much more a question for Members, but I think a great many people repent that they did not let Parliament alone and let it do what it thought fit in 1880 or 1881. It would have been much cheaper for the consumer if they had done that. As far as I can judge of the feeling of people with whom I communicate freely, they would be very glad if Parliament would settle it one way or the other.

5990. Your own people are in favour of a settlement by purchase probably, are they?—Yes.

5991. When you said that you were in favour of continuing the existing companies, you spoke for yourself only, did you not?—I quite guarded that; I said I thought it was quite open to argument, and I think so still.

Mr. *Bolton.*

5992. The result of your evidence is that the whole matter at the present time is one for inquiry, and not for action?—That is so, Sir. That is my view. It is not ripe, in my judgment, for action, and I have taken a great deal of pains, and tried to inform myself. I could not suggest action at the present moment.

5993. Then you suggest that the inquiry should be by a sort of joint committee, or a sort of association of separate committees?—Quite so.

5994. Representing the London county council, and the other county councils, to ascertain the facts?—Quite so.

5995. And that Parliament should give those committees, legislatively, power to call witnesses and to obtain information?—That is so, Sir.

5996. That, in other words, is a Royal Commission, is not it, or virtually a Royal Commission?—As I say, I do not attach very much importance to the one form or the other, except, as I say, that sometimes Parliament not unreasonably attaches very great weight to the recommendations of a Royal Commission, whereas in this case all the parties being subjects, and with no special mandate except from Parliament itself, they would see whether or not those to whom they had entrusted the inquiry had come to a right conclusion.

5997. But if you constituted such an association of committees you would have to form them in the same way to enable them to prosecute the inquiry, with power to appoint a chairman, power to act unitedly, and so on?—I do not think there would be much difficulty. I will just say one thing with regard to a Royal Commission. If the counties were to agree, they could at once legislate. Supposing that on all main points all the counties, save London and Middlesex, were agreed, they could come with practically an agreed Bill; whereas if the Royal Commission maker a recommendation (they might make a recommendation which was distasteful to any-

Mr. *Bolton*—continued.

body) then you would come face to face with that difficulty which was so great in 1880; and the Government would have to interfere, which I do not think, after the experience of 1880, any Government would be very keen about doing.

5998. Why should not the Corporation of of London and the county council at once enter into negotiations with the water companies, and endeavour to ascertain the facts and arrive at some basis of arrangement, and then promote a Bill in Parliament?—I should have no objection to that, provided that in entering into those negotiations they allowed Middlesex also to be present at the negotiation. All that I ask for is that I should not be prejudged in any way; that my county should have the fullest and freest hand, whatever happens.

5999. Then all the other counties would have equal representation on this association of committees?—I do not think there would be any disadvantage in that, because I should think it would probably consist of a very small number, but, being a committee of inquiry, each county would listen. As it would not be then representative committee, I do not see why there should not be an equal number from each county so as to keep it within a small limit. Everyone of the members of those committees would have to report to their own council before any action was taken; whereas, if you have a committee which is to act, then you have either the avidity of the largest community, namely, London, having no larger voice in the matter than we who are a tenth or a sixth of the size, or you would have smaller communities being out voted by the larger.

6000. Then, when this association of committees prepared its report, I suppose you would leave it to the larger to take action?—Certainly, I should leave it to the Corporation of London, who are already recognised as a water authority, or to the county council, or to both in conjunction (as they seem inclined to act together now), to take the necessary action, it might be a purchase Bill; if it were an agreed Bill it could be a purchase Bill; if it was not an agreed Bill we should probably promote a competitive Bill, which we should present to Parliament, and Parliament would decide which was the right course to adopt.

6001. Do not you think that with a question of this sort, that all that means handing the whole question over to a very indefinite future?—I do not think so, Sir. I do not see why it should not be done promptly, while all people are anxious to agree about it. Certainly if the information were before us, we could settle in 10 minutes what course we should take.

6002. You and Lord Rosebery in a very short time settled a very large and difficult matter as between your own county and the county of London?—Yes.

6003. Do not you think that if the same business like practical application to this question were resorted to, the whole matter might be dealt with in a much simpler way than by this elaborate association of counties, and this prolonged inquiry as a preliminary to action?—Inasmuch as we were well assisted by an extremely able clerk on my side and an extremely able clerk on

Mr. *Bolton*—continued.

theirs, who provided us with all the information; we had the information there you must remember, that information went back years, we got all the reports and accounts of the county of Middlesex, London was supplied with every information we had; they had not the information until we gave it; we had the information and gave it, and they gave every fact and figure they had to give.

Mr. *Lawson.*

6004. There had been a committee?—There was a committee on each side, and it was only ultimately that the two committees asked the two chairmen to meet and arrange the preliminary of the treaty; then this arrangement of preliminaries was submitted to the committee, and each committee what their respective chairmen had done.

Mr. *Rowntree.*

6005. May I ask you if you have thought how many local authorities would claim to be represented on a committee such as you have suggested?—I do not think there could be anybody but Middlesex, Surrey, Kent, and Hertford.

Chairman.

6006. Essex?—Part of their supply is in Kent, so far as the Kent Company's sources of supply are concerned.

Mr. *Rowntree.*

6007. Might not West Ham be part; is not that a county borough?—It would be West Ham; it was part of Essex; Essex would come.

6008. Is not Croydon one of the places that would come in?—Croydon has its own water supply, and I do not see that Croydon has very much to do with it.

6002. It occurred to me whether such a committee was a manageable body for gathering information?—If you limited the numbers it would be, because it is simply for inquiry; it is not as if it were for legislation; I do not see why it should be a large committee, and, if so, it would not be very much larger than the committees we had to settle the financial matters between London and Middlesex. I had 18 members on my apportionment committee; I do not know how many there were on the London committee; but we got through our work very satisfactorily.

Sir *Henry Roscoe.*

6010. Might not the Thames Conservancy Board also request to be placed, with good reason, on such a board?—They have sold the water of the Thames; I do not know that they have much to do with it; they have not much to say on the water supply, especially after the emphatic decision you gave, that you were not disposed to recommend any further taking of water from the Thames. So long as the quantity is not increased it does not seem to me to matter to me matter to the Thames Conservancy. They have sold a certain quantity, and it does not matter to them so long as no more is taken than that which they have sold.

Sir *Henry Roscoe*—continued.

Mr. *Bristow.*

6011. I will ask you this question. I confess the matter is fairly well exhausted, but considering the very great importance of this matter generally, does it not strike you that the simplest way would be, if the London county council could by agreement acquire the whole of the companies as they are, it would save all these complicated inquiries?—So far as that is concerned, as I understand the London county council, though Mr. Harrison, have expressed their entire willingness to allow us, if they buy, to have a word in the purchase; and, if so, that would save great complication. I am very much in favour of purchase by agreement as a principle.

6012. What I was leading up to more particularly was this: You are guarding actually the interests of Middlesex; Mr. Bolton has already anticipated the last question which I had had put down to ask you on a point which struck me very much during your remarks; the facility with which you and Lord Rosebery settled the matter involving one million and three-quarters of money in about three-quarters of an hour; have you any reason to think you would have any difficulty in settling your claims equitably with the London county council if they should buy these companies?—There was this great difference; I am sure Lord Rosebery will feel that I am not saying anything disrespectful to him, because I know the feeling on both sides was this; that there was an ultimate appeal. We were meeting as equal powers, and not as one power which could in any way dictate to the other. We each of us had full knowledge of the fact that if we did not agree there was Lord Derby's Commission to settle between us; and I must say I do not think it is ever well, especially in a large negociation, for one of the parties to go in with their hands tied. If the London county council had a a power simply to agree to purchase, and then we were left only to the London county council to decide upon what terms we shall have our share, I am sure you may take it that we could not regard that as anything like a satisfactory position.

6313. Still you said that, while regarding the interest of your own county, you met as men of business, and did not require or attempt to get any undue advantage one from the other?—No.

6014. Do not you think that is the way the London county council and the Middlesex county council would meet if there were any question of this kind?—I should hope so; but I confess when I go into negotiations I like to go into them with a free hand, and not to know that the man who may be opposed to me is able to say, You shall do so and so. He may be convinced that it is just that it should be so, but on a large question of this kind there may be two sides, and they might take that position without the slightest intention on their part to overreach us or to do anything unfair.

6015. Or

Mr. *Bristowe*—continued.

6015. Or on your part to over-reach them?—Just so; but you cannot satisfactorily enter into negociations unless you have an equally free hand as the man with whom you are negociating.

Mr. *Moulton* was heard to address the Committee on behalf of the London county council against the Preamble of the Bill.

Mr. *Balfour Browne* was heard to address the Committee on behalf of the Hertfordshire county council against the Preamble of the Bill.

Wednesday, 24th June 1891.

MEEBERS PRESENT :

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Bidder* was heard to address the Committee on behalf of the borough of Croydon.

Mr. *Worsley Taylor* was heard to address the Committee on behalf of the county council of Middlesex and the corporation of West Ham.

Mr. *Pembroke Stephens* was heard to address the Committee on behalf of the Surrey county council.

Mr. *Meysey Thompson* was heard to address the Committee in support of the petitions of the Beckenham Local Board, the Bromley Local Board, and the Bromley Rural Sanitary Authority.

Mr. *C. E. Baker* was heard to state on behalf of the Local Board of Dartford, the Dartford Rural Sanitary Authority, and other local authorities, for which he appeared as agent, that he desired to confirm what Mr. Meysey Thompson had said.

Mr. *Clarke Williams* was heard to address the Committee in support of the petition of the West Kent Sewerage Board.

Mr. *Giles* was heard to address the Committee in support of the petition of the Wimbledon Local Board.

Mr. *Littler* was heard to address the Committee on behalf of the corporation of London, in support of the proposed Statutory Committee of the corporation and the county council.

Mr. *Pember* was heard to commence his address to the Committee in support of the petitions of the Grand Junction Waterworks Company and of the East London Waterworks Company.

Thursday, 25th June 1891.

MEMBERS PRESENT :

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley.
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Balfour Browne* was heard [yesterday] to address the Committee on behalf of the Conservators of the River Thames.

Mr. *Pember* was heard to continue his address on behalf of the Grand Junction Waterworks Company and the East London Waterworks Company; and to tender the fullest possible evidence on all topics relevant to the issue which he wished to put before the Committee, namely, that the companies had done their duty to the public in the past, and were able and willing in all respects to do their duty to the public in the future.

Mr. *Balfour Browne* proposed to address the Committee on behalf of the Provincial Water Companies Association.

The *Chairman* stated that the Committee considered that the question which they had to decide was a question which affected London alone, and therefore it was not necessary that they should listen to any address on behalf of the provincial water companies: at the same time they would leave it to the learned counsel to address the Committee if he thought fit. After consultation with his clients the learned counsel stated that he would not trouble the Committee with any observations as to the provincial water companies.

Mr. *Balfour Browne* was heard to address the Committee on behalf of the Lambeth Waterworks Company, and to tender the evidence of the manager of his company to show that no complaints had been made and that they had carried out their duty to the public.

Mr. *Gerald FitzGerald* was heard to address the Committee on behalf the Chelsea and West Middlesex Waterworks Companies.

Mr. *Lewis Coward* was heard to address the Committee on behalf of the Kent Water Company, and to state that he claimed, as a right, to lay the case of his clients before the Committee by the evidence of witnesses so that it might appear upon the Records of Parliament.

The *Chairman* stated that if the learned counsel thought his clients would be prejudiced by not being heard, subject to the limitation as to quantity and quality of the water, the Committee would hear them.

After a short adjournment,

Mr. *Lewis Coward* was heard to state that he did not think a partial examination would be satisfactory, and if the Committee would take from him as proved the statement that three-fifths of the quantity of water supplied in the metropolitan area was pumped from outside that portion which was inside the limits of the London county council, he thought he might dispense with the necessity for evidence; he also stated that the result of the alteration in the rating lists from 1887 to 1891, including the last quinquennial valuation, so far from showing an increase to the Kent Company, showed a net reduction in water rate of 321 *l.*

Mr. *Meysey Thompson*, on behalf of the Kent authorities stated that they could not admit that there had been a reduction of 321 *l.*

The *Chairman* stated that he did not think the Committee could be held to say that they accepted that figure as proved.

Mr. *Bidder* was heard to address the Committee on behalf of the Southwark and Vauxhall Water Company.

Mr. *Pope* was heard to address the Committee on behalf of the New River Company.

Mr. *Bulkeley Williams*, on behalf of the Local Board of Heston and Isleworth, applied for permission to be heard against the Bill, the local board having only come to a decision last night to tender evidence. The Chairman stated that it was now too late, and that the Committee did not see any necessity for it.

Mr. *Pember* stated that he assumed that the Committee did not care to hear the evidence which he had tendered.

Chairman.] No, I think not. I think the Committee do not see the necessity for it at all; and I do not think the water companies will be at all prejudiced by the Committee declining to hear such evidence.

Friday, 26th June 1891.

MEMBERS PRESENT:

Mr. Thomas Henry Bolton.
Sir Algernon Borthwick.
Mr. Bristowe.
Mr. Lawson.
Mr. J. W. Lowther.
Mr. Murdoch.
Sir Matthew White Ridley
Sir Henry Roscoe.
Mr. Rowntree.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. *Pember* was heard to state that the document relating to the public and private Acts of Parliament bearing on the Water Companies' case which he had promised to have prepared for the Committee, was not yet ready, but that it should be perfected and sent to each Member of the Committee not later than Monday.

Mr. *Cripps* was heard to state that the Walthamstow Local Board did not propose to address any argument to the Committee, but wished the Committee to know that they took up the same attitude as the other outside authorities.

Mr. *Cresswell*, on behalf of the Heston and Isleworth Local Board, renewed the application that had been made yesterday by Mr. Bulkeley Williams (the agent for the Board) to be heard.

The *Chairman* stated that the application could not be entertained.

Mr. *Freeman* was heard to emphatically protest against certain statements made by Mr. Balfour Browne on pages 30 and 32 of his speech on the 24th June, on behalf of the Thames Conservators, relating to points upon which the London county council had not been permitted to give evidence, and which (unsupported by one particle of evidence) might work very serious inconvenience to the London county council if not contradicted.

Mr. *Rickards* was heard to address the Committee in reply upon the whole case, and to ask them to say that the costs of the Vestries, their object in promoting the Bill having been a *bonâ fide* attempt to promote the interests of London, should be put upon the county rate, and borne by London itself.

The Committee-room was cleared.

After a short time the counsel and parties were again called in.

Chairman.] The Committee have come to the decision that the Preamble of this Bill is not proved, nor the Preamble of the other Bill, and they will proceed to consider what special Report to make to the House.

With reference to the application for costs, we think that the Bill of the Vestries (as well as the other Bill) has been promoted perfectly *bonâ fide*, and with a view to the advance of the public interest, but we have no power to deal with the question of costs.

Mr. *Rickards.*] I do not know whether I might add one word upon that, Sir?

Chairman.] I do not think we can go into the question now. You may consider what can be done. I say the Committee have no power to go into the question of costs, so far as I understand it.

Mr. *Rickards.*] May I say one word, Sir, that is, to ask that your Report upon the Vestries Bill may contain an allusion to the question of costs; I do not suggest what allusion.

Mr. *Littler.*] How can it?

Chairman.] The Committee will consider the point.

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APPENDIX, No. 1.

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(A.)

SUPERANNUATIONS to Officers. Comparison of Scale in Bill with Civil Service Scale.

Comparing the terms proposed in the Metropolis Water Supply Bill to be given to officers whose posts may be abolished, with those usually given to civil servants under similar circumstances, the advantage appears to be in favour of the officials of the water companies.

By Clause 36 (paragraph 3) of the Bill, it is proposed to give an officer of the water companies the undermentioned terms :—

Above 5 and under 18 years of service.—One-half of his salary, less 1-60th of his salary for each year short of 18 years of service.

Eighteen years of service.—One-half of his salary.

Above 18 years of service.—One-half of his salary, together with 1-60th of his salary for each year above 18 years.

The maximum pension granted not to exceed the salary received by him at the date of abolition.

Under the Superannuation Act of 1859, a man is entitled to 1-60th of his salary for every year's service after 10 years.

Under 10 years of service.—A cash payment of one month's salary for each year of service.

Abolition terms may be granted as under, but these are now held in abeyance.

Above 10 and under 15 years' service.—An addition of five years to the years of service.

Above 15 and under 20 years of service.—An addition of seven years.

Above 20 years.—An addition of 10 years.

But in no case can the pension exceed two-thirds of the salary received at the date of abolition.

On comparing the terms proposed by the Bill with the Civil Service Scale, by taking a case of an officer abolished (say with 600 *l.* per annum salary) under each of the above-mentioned terms, it will be seen by the following statement that, in every instance, the terms proposed in the Bill are in excess of the Civil Service Scale.

	Civil Servant, Salary, 600 *l.* Abolition Terms.	Water Bill. Salary, 600 *l.*
5 years' service - - - - -	Cash payment of 250 *l.* -	170 *l.* per annum.
10 „ „ - - - - -	150 *l.* per annum - -	220 *l.* „
15 „ „ - - - - -	220 *l.* „ - -	270 *l.* „
18 „ „ - - - - -	250 *l.* „ -	300 *l.* „
20 „ „ - - - - -	300 *l.* „ - -	320 *l.* „
25 „ „ - - - - -	350 *l.* „ - -	370 *l.* „
30 „ „ - - - - -	400 *l.* „ - -	420 *l.* „
35 „ „ - - - - -	400 *l.* „ - -	470 *l.* „
40 „ „ - - - - -	400 *l* „ - -	520 *l.* „
45 „ „ - - - - -	400 *l.* „ - -	570 *l.* „
48 „ „ - - - - -	400 *l.* „ - -	600 *l.* „

(B.)

FOR the Year 1890.

COMPARISON of the Actual Profits of the Old Shareholders (*i.e.*, holders of Shares existing in 1880) with the Annuities these Shareholders would have received under Mr. Smith's arrangement.

COMPANY.	Actual Profits of the Companies.	Proportion of Profits Earned by New Capital (less Interest on Debentures) Raised since 1880.	Profits Earned by Old Share Capital.	Mr. Smith's proposed Annuity.	Excess of Annuity over Profits Earned by Old Shareholders.
	£.	£.	£.	£.	£.
Chelsea - - - -	71,303	3,025	68,278	69,195	+ 917
East London - - -	132,155	10,915	121,240	147,826	+ 26,586
Grand Junction - - -	97,489	11,304	86,185	112,210	+ 26,025
Kent - - - - -	86,020	17,716	68,304	90,426	+ 22,122
Lambeth - - - -	128,968	22,987	105,981	120,312	+ 14,331
New River - - - -	249,680	18,571	231,109	294,875	+ 63,766
Southwark - - - -	70,098	12,728	57,370	99,680	+ 42,310
West Middlesex - - -	123,768	23,888	99,880	121,694	+ 21,814
£.	959,481	121,134	838,347	1,056,218	+ 217,871

(C.)

For the whole Period, 1880–1890.

Comparison of the Actual Profits of the Old Shareholders (*i.e.* holders of Shares existing in 1880) with the Aggregate Annuities these Shareholders would have received under Mr. Smith's arrangement.

Company.	Actual Profits of the Companies.	Proportion of Profits Earned by New Capital (less Interest on Debentures) raised since 1880.	Profits Earned by Old Share Capital.	Mr. Smith's proposed Annuities.	Excess or Deficiency of Annuity over Profits Earned by Old Shareholders.
	£.	£.	£.	£.	£.
Chelsea - - - -	574,917	11,297	563,620	544,748	— *18,872*[a]
East London - - -	1,326,930	65,942	1,260,988	1,342,173	+ 81,185
Grand Junction - -	961,878	64,185	897,693	1,039,902	+ 142,209
Kent - - - -	793,585	83,380	710,205	801,423	+ 91,218
Lambeth - - -	1,131,405	134,543	996,862	1,018,090	+ 21,218
New River - - -	2,461,323	113,157	2,348,166	2,649,059	+ 300,893
Southwark - - -	665,316	58,319	606,997	942,969	+ 335,972
West Middlesex - -	1,302,629	188,980	1,113,649	1,217,355	+ 103,706
£.	9,217,983	719,803	8,498,180	9,555,719	+ 1,057,539

[a] In the case of Chelsea alone there is a deficiency, which is deducted from the aggregate excess.

The Expenditure on New Works since 1880 is £. 2,482,019.

(D.)

Birmingham Water Rental.—Compared with Annuities to Old Companies.

Year.	Water Rental. Actual.	Water Rental. Reduction made by Town Council.	Probable Total if no Reduction had been made	Aggregate Working Expenses.	Profit, including Loan Charges, &c., after Payment of Working Expenses if no Reduction had been made.	Aggregate Loan Charges, &c.	That part of Loan Charge which representing Annuity to Old Companies. †	Profit after deduction from Aggregate Profit (Col 6.) of Annuities to Old Company.
	£.	£.	£.	£.	£.	£.	£.	£.
1876 -	90,722	—	90,722	28,656	62,066	60,178	53,911	8,155
1877 -	97,109	—	97,109	30,764	66,345	61,696	53,902	12,443
1878 -	105,210	—	105,210	32,999	72,211	64,500	53,902	18,309
1879 -	111,842	—	111,842	34,676	77,166	66,464	53,902	23,264
1880 -	119,323	—	119,323	37,536	81,787	69,741	53,902	27,885
1881 -	119,498	5,000	124,498	41,903	82,595	70,233	53,902	28,693
1882 -	125,065	5,233	130,298	40,108	90,190	72,280	53,902	36,288
1883 -	113,559	5,501 17,931	136,991	42,193	94,798	75,540	53,902	40,896
1884 -	113,082	2,914 23,933	139,929	44,510	95,419	77,512	53,902	41,517
1885 -	115,704	27,469	143,173	44,733	98,440	78,613	53,898	44,542
1886 -	117,959	28,002	145,961	44,478	101,483	78,949	53,898	47,585
1887 -	120,985	28,718	149,703	43,312	106,391	79,692	53,898	52,493
1888 -	134,659	29,588	154,247	44,074	110,173	80,480	53,843	56,330
1889 -	128,854	30,582	158,436	45,231	114,205	80,745	53,840	60,365
							£.	498,765

† The remaining Loan Charges are for New Loans applied to productive works.

(E.)

STATEMENT of the Corrected Volumes of the Average Daily Discharges of the River Thames at Teddington Weir, the Maximum and Minimum Daily Discharge for each of the Months entered, and the Percentage of the Corrected Volumes withdrawn for the Supply of the Metropolis from 1885 to 1889, both inclusive.

Note.—The Corrected Volume is in each case the Average Daily Volume of Discharge for the Month as gauged,* added to the Average Daily Amount withdrawn during the same Month by the Water Companies.

MONTH.	1885.				1886.				1887.				1888.				1889.			
	Average Daily Discharge.	Maximum Daily Discharge.	Minimum Daily Discharge.	Percentage of Average Daily Discharge withdrawn for the Supply of the Metropolis.	Average Daily Discharge.	Maximum Daily Discharge.	Minimum Daily Discharge.	Percentage of Average Daily Discharge withdrawn for the Supply of the Metropolis.	Average Daily Discharge.	Maximum Daily Discharge.	Minimum Daily Discharge.	Percentage of Average Daily Discharge withdrawn for the Supply of the Metropolis.	Average Daily Discharge.	Maximum Daily Discharge.	Minimum Daily Discharge.	Percentage of Average Daily Discharge withdrawn for the Supply of the Metropolis.	Average Daily Discharge.	Maximum Daily Discharge.	Minimum Daily Discharge.	Percentage of Average Daily Discharge withdrawn for the Supply of the Metropolis.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.
	Million Gallons.	*Million Gallons.*	*Million Gallons.*		*Million Gallons.*	*Million Gallons.*	*Million Gallons.*		*Million Gallons.*	*Million Gallons.*	*Million Gallons.*		*Million Gallons.*	*Million Gallons.*	*Million Gallons.*		*Million Gallons.*	*Million Gallons.*	*Million Gallons.*	
July - - -	397·8	492·8	314·7	24·1	667·5	991·2	505·1	14·0	406·1	498·1	326·2	26·5	1,098·6	2,225·4	750·3	8·0	672·2	928·6	569·5	14·5
August - - -	307·9	350·9	263·7	31·7	598·3	728·7	481·8	15·2	341·0	451·2	255·0	29·6	1,083·3	3,225·5	630·8	8·3	556·3	639·2	486·2	16·7
September - -	505·8	1,067·1	309·1	17·9	484·0	601·1	416·9	19·3	413·0	527·5	270·1	22·2	614·4	874·5	490·2	14·0	477·8	624·8	355·7	19 4
October - - -	–	–	–	–	–	–	–	–	–	–	–	–	553·6	974·5	461·5	14·9	–	–	–	–

* Supplied by courtesy of the Thames Conservancy.

(F. and G.)

LONDON COUNTY COUNCIL.—London Water Supply Bills.

PART I.

Table showing Annual Growth of Houses, Population, and Water consumed in London. (Within the Metropolitan Water Area.)

1. Year.	2. Number of Houses.	3. Estimated Population supplied by the Metropolitan Water Companies.	4 Rateable Annual Value of the County of London, as defined by the Metropolitan Management Act of 1855.	5. Total Water supplied from all Sources. (For details, *see* Part II. of Table.)	6. Population, as predicted at various Dates for Years mentioned in first Column.	7. Amount of Water predicted to be required for Supply at various Dates.	8. Rateable Annual Value of the County of London, as predicted for various Dates.	9. Reference to Authority for the Estimate, and the Date of Estimate.
			£.	*Gallons per Day.*			£.	
1858	342,411	2,175,826	12,031,151	79,149,919				
1859	350,560	2,243,350	12,045,476	81,436,962				
1860	363,099	2,312,970	12,057,455	76,761,728				
1861	373,363	2,384,751	12,450,416	82,615,930				
1862	385,723	2,458,759	12,514,053	85,469,056				
1863	399,244	2,535,064	12,569,969	87,997,682				
1864	410,196	2,613,737	12,588,661	91,712,150				
1865	422,841	2,694,852	14,419,823	94,664,868				
1866	438,760	2,778,484	14,524,542	95,213,732				
1867	445,989	2,864,711	15,261,999	98,600,248				
1868	459,234	2,953,614	16,196,547	99,892,311				
1869	474,010	3,047,976	16,257,643	99,741,135				
1870	482,982	3,139,783	18,719,237	104,006,034				
1871	491,857	3,237,223	18,683,288	106,929,244				
1872	500,229	3,337,687	19,971,281	108,092,131	—	—	20,000,000	J. F. Bateman; Supply of Water to London from the Severn, 1865—pp. 22 and 23.
1873	506,985	3,441,269	20,287,709	113,188,899				
1874	514,142	3,548,065	20,549,011	116,376,335				
1875	521,566	3,658,176	20,886,946	116,596,760				
1876	531,445	3,771,704	23,111,313	118,615,743				
1877	537,118	3,834,236	23,136,819	122,191,380	At 32 gallons per head per day = 4,062,000 3,750,000	— 130,000,000 175,000,000	—	J. F. Bateman, ciii., Report Royal Com., 1869. R. Hassard; Royal Com., Min. of Evidence, 1869, p. 61 (899–901).
1878	552,072	3,938,166	23,469,970	130,217,109				
1879	573,792	4,289,544	23,960,109	138,459,803				
1880	601,210	4,469,014	24,501,410	143,902,293				
1881	621,587	4,593,105	27,405,488	150,657,918				
1882	643,752	4,746,763	27,386,086	143,940,020				
1883	664,440	4,913,513	27,883,078	149,283,968				
1884	684,654	5,079,722	28,415,764	157,976,971				
1885	704,066	5,222,170	28,920,537	159,023,500				
1886	719,906	5,339,391	30,537,188	165,050,735				
1887	733,161	5,424,016	30,458,005	166,510,166				
1888	746,319	5,533,150	30,758,796	165,336,892				
1889	758,335	5,623,789	Quarter to 31st March, 31,033,786	169,873,255				
1890	769,122	5,696,274	Year to 31st March, 31,387,848	175,250,686				
1891	—	—	Year to 31st March, 31,584,951	—				
1892	—	—	Year to 31st March. 33,083,862	—				
Per-centage of Increase from 1858 to 1890	124·6	161·8	160·8	121·4				

Note.—The figures in Columns 2, 3, 5, for the years 1858 to 1866 inclusive, are taken from the Report of the Royal Commission on Water Supply, 1869, Appendix, pages 70–71. For the years 1867 to 1876 inclusive, from the Registrar General's Returns, as compiled from statistics furnished by the several water companies. For the year 1877 to 1890 inclusive, from the Reports of Local Government Board and Water Examiner.

The rateable annual value in Column 4 is taken from the Tables to accompany London County Council (Money) Bill, 1891.

PART II.

DETAILS of Total Water Supplied, according to the Various Sources.

YEAR.	Water Drawn from Thames.	Water Drawn from Lea.	Water Drawn from Chalk Wells.	TOTAL.
1858	35,387,138	40,347,781	3,415,000	79,149,919
1859	37,100,159	40,742,803	3,594,000	81,436,962
1860	36,075,652	36,699,076	3,987,000	76,761,728
1861	38,395,652	39,674,278	4,546,000	82,615,930
1862	40,398,400	40,201,656	4,869,000	85,469,056
1863	41,697,072	41,406,610	4,894,000	87,997,682
1864	44,328,594	42,099,556	5,284,000	91,712,150
1865	47,371,935	41,829,933	5,463,000	94,664,868
1866	46,896,223	42,279,509	6,038,000	95,213,732
1867	49,042,467	43,088,908	9,468,873	98,600,248
1868	51,244,763	41,383,972	7,263,576	99,892,311
1869	51,591,453	41,229,694	6,919,988	99,741,135
1870	53,691,670	42,876,466	7,437,898	104,006,034
1871	55,695,796	44,161,791	7,071,657	106,929,244
1872	56,646,782	44,655,640	6,789,709	108,092,131
1873	59,544,562	47,114,893	6,529,444	113,188,899
1874	60,400,881	49,262,840	6,712,614	116,376,335
1875	59,335,064	50,481,477	6,780,219	116,596,760
1876	60,985,166	50,440,272	7,190,305	118,615,743
1877	62,400,387	51,950,743	7,840,250	122,191,380
1878	66,102,320	56,076,539	8,038,250	130,217,109
1879	71,049,597	59,097,500	8,312,706	138,459,803
1880	73,871,511	61,235,008	8,795,774	143,902,293
1881	77,088,857	64,517,196	9,051,865	150,657,918
1882	72,369,724	62,421,120	9,149,176	143,940,020
1883	75,337,050	64,149,384	9,797,534	149,283,968
1884	85,530,340	61,729,704	10,716,927	157,976,971
1885	84,531,547	63,394,119	11,097,834	159,023,500
1886	86,416,707	66,492,193	12,141,835	165,050,735
1887	90,614,887	63,683,894	12,211,385	166,510,166
1888	85,280,530	68,205,270	11,851,092	165,336,892
1889	87,807,585	70,041,418	12,024,252	169,873,255
1890	90,004,042	72,856,959	12,389,685	175,250,686
Percentage of Increase from 1858 to 1890	154·3	80·5	262·8	121·4

Note.—The figures for the Years 1858 to 1866 inclusive, are taken from the Report of the Royal Commission on Water Supply, 1869, Appendix (pages 70 and 71). For the Years 1867 to 1876 inclusive, from the Registrar General's Returns, as compiled from statistics furnished by the several water companies. For the Years 1877 to 1890 inclusive, from the Reports of Local Government Board and Water Examiner.

31, Spring Gardens, 11 May 1891.

(H.)

LONDON COUNTY COUNCIL.—London Water Supply Bills.

THAMES.

Approximate Estimate.

Compiled (except Population) from Agricultural Returns, Board of Agriculture, 1890—
Number of Horses, Cattle, Sheep, and Pigs; and Population (estimate 1891) in so much of each County as lies within the Thames Basin, above the intakes of the Water Companies.

Counties.	Horses.	Cattle.	Sheep.	Pigs.	Estimated Population, 1891.
Beds	224	642	2,341	651	2,171
Berks	15,397	43,461	231,322	35,371	234,329
Bucks	10,939	43,695	133,458	24,345	121,682
Gloucester	7,370	32,793	101,544	21,917	42,438
Hants	5,630	15,377	88,731	15,567	91,373
Herts	2,623	6,002	26,700	6,018	92,738
Middlesex	1,202	4,023	4,115	2,248	33,096
Northampton	1,609	9,641	31,805	2,780	12,727
Oxford	17,563	55,884	263,954	43,673	179,163
Surrey	5,296	19,357	33,855	11,690	123,035
Sussex	117	514	2,339	217	703
Warwick	958	4,831	14,209	2,122	4,286
Wilts	6,324	29,439	166,684	20,926	71,048
Worcester	4	14	38	9	50
Totals	75,256	265,673	1,101,095	187,534	1,008,839

Note.—The Returns are obtained from every separate holding of cultivated land of a quarter of an acre and upwards.
Horses.—Only those used solely for Agriculture, unbroken horses, and mares kept solely for breeding, are enumerated above.

LEA.

Approximate Estimate.

Compiled (except Population) from Agricultural Returns, Board of Agriculture 1890—
Number of Horses, Cattle, Sheep, and Pigs; and Population (estimate 1891) in so much of each County as lies within the Lea Basin, above the intakes of the Water Companies.

Counties.	Horses.	Cattle.	Sheep.	Pigs.	Estimated Population, 1891.
Beds	754	2,165	7,891	2,196	38,262
Essex	2,710	5,654	21,492	6,969	24,748
Herts	7,882	18,038	80,245	18,089	88,959
Middlesex	464	1,553	1,589	868	20,752
Totals	11,810	27,410	111,217	28,122	172,721

Totals of THAMES and LEA.

——	Horses.	Cattle.	Sheep.	Pigs.	Estimated Population, 1891.
Thames	75,256	265,673	1,101,095	187,534	1,008,839
Lea	11,810	27,410	111,217	28,122	172,721
Totals	87,066	293,083	1,212,312	215,656	1,181,560

Note.—The Returns are obtained from every separate holding of cultivated land of a quarter of an acre and upwards.
Horses.—Only those used solely for Agriculture, unbroken horses, and mares kept solely for breeding, are enumerated above.

31, Spring Gardens, 11 May 1891.

(I.)

METROPOLIS GAS BILLS, 1876.

MEMORANDUM of the Board of Trade on the Metropolis Gas Bills of the present Session.

BY the legislation prior to 1860 the dividends of gas companies were limited to 10 per cent.

In London, after a period of competition, which proved competition in gas supply to be ruinous as well as impracticable, the companies districted London amongst themselves, and this districting was confirmed by the Metropolis Gas Act, 1860.

By the same Act the companies were empowered to charge for every 1,000 feet of 12-candle gas, 4 *s.* 6 *d.*; and under certain conditions, 5 *s.* 6 *d.*

The prices proved to be unnecessarily high; great discontent was caused; and a Committee, appointed 1866, recommended that the Government should introduce a Bill to alter the law.

In 1867 the Government did introduce a bill, which, with other Gas Bills, was referred to a Committee of which Mr. (now Lord) Cardwell was chairman.

That Committee passed no Bill, but made a special Report, which, whilst it confirmed the complaints of the consumers, intimated that the terms made with the gas companies in 1860 ought not to be compulsorily altered except under the threat and pressure of renewed competition.

In 1868 the Corporation of London, acting on this Report, introduced a competing Bill, which, with Bills by the consumers and the principal gas companies, were referred to a Committee again presided over by Mr. Cardwell. This Committee eventually passed two Bills, relating to the Chartered Company, and also to the other companies supplying gas within the city. The principal features of those Bills were as follows:—

(1.) The illuminating power of common gas was fixed at 16 candles, and elaborate provisions were made for testing and securing the power and purity of gas. Corresponding provisions were made for cannel gas. These provisions have all worked admirably; they have been extended by subsequent legislation; and should the Bills now before Parliament pass, they will be extended to all the companies in the metropolis.

(2.) The Acts of 1868 also contained a provision enabling the Chartered Company to amalgamate with certain other companies. These provisions have been extended by an Act of 1871, so as to enable the Chartered Company to amalgamate with any or all of the other metropolis gas companies. They have been largely acted on, and should the Bills of the present Session pass there will, in all probability, be only one large company on the north and one on the south of the Thames.

(3.) The price per 1,000 feet of 16-candle gas was fixed at 3 *s.* 9 *d.*, with a provision that either the Corporation or the Metropolitan Board on the one hand, or the companies on the other, might apply to the Board of Trade annually to appoint Commissioners to revise it. In case of such application the Board of Trade were to appoint three Commissioners with authority to fix such a price as should be calculated, with due care and management, to yield to the companies a dividend of 10 per cent., not exceeding, however, the extreme price prescribed by the Act of 1860.

Under these provisions the Chartered Company were allowed in 1873 to raise their price to 4 *s.* 4 *d.*, and in 1874 to 5 *s.* for 16-candle gas, and under similar enactments passed in 1869 the Imperial Company were allowed in 1874 to charge 4 *s.* 8 *d.* for 14-candle gas. The operation of these provisions caused great dissatisfaction to the consumers. It was alleged that the revision clauses did in effect guarantee to the companies a dividend of 10 per cent., and it was further alleged (and as it appeared to the Board of Trade with much reason) that no official Commissioners can succeed in dictating to a trading company the conditions of economy in manufacture on which they can make the greatest amount of profit, and in fixing the price of their article accordingly.

(4.) Mr. Cardwell's Bill of 1868 also enabled the Chartered Company to raise additional (nominal) capital of 437,280 *l.*, with a dividend of 10 per cent. This example was followed in the further Act of 1872, which enabled the same company to raise additional share capital to the amount of 1,212,720 *l.* as preference shares, with a 5 per cent. dividend, convertible at the option of the holder into ordinary capital at 10 per cent. Another Act of 1869 enabled the Imperial Company to raise fresh share capital to the amount of 975,000 *l.* at 7 per cent.; and a further Bill of 1869 enabled the South Metropolitan Company to raise additional share capital to the amount of 250,000 *l.* at 10 per cent. Under the rules adopted and enforced by the Parliamentary authorities the companies have not been allowed, even if so disposed, to raise by borrowing more than one-fourth of the amount raised as share capital; and the whole of this new share capital must, according to the Companies Clauses Act, have been offered to the existing shareholders at par.

The Board of Trade has no precise information as to the dates at which, or as to the amount of premium at which, these amounts of new capital have been raised and issued. But taking the average of the premiums quoted in the share lists during the period in question, it would appear that the effect of the above legislation has been to put from a million-and-a-half to two millions into the pockets of the existing shareholders in the companies, and to charge this sum on the gas consumers without any *quid pro quo* whatever. If Parliament had required the necessary capital to be raised on the lowest terms either by borrowing or otherwise, the whole of this sum would have been saved. Nor is this all. Such a system not only charges on the consumer capital from which he derives no benefit, but is a direct inducement to the companies to raise capital unnecessarily, an inducement against which the vigilance of Parliament is and must be an insufficient safeguard. It is to be remembered that these results (which would appear still more striking if the capital raised before 1868 were taken into consideration) have arisen from the action of Parliament in authorising capital to be raised at 10 and 7 per cent., in refusing to allow more than a quarter of new capital to be raised by loan, and in requiring all new capital to be offered to existing shareholders at par. It is not surprising that such a system should lead to discontent on the part of the consumers of gas.

The legislation of 1868 was extended to the Imperial Company and to the South Metropolitan Company in 1869, except that an illuminating power of 14 candles was substituted for one of 16 candles.

Under these circumstances there was great discontent with the above provisions respecting the price of gas and the raising of capital, and in 1875 the City and the Metropolitan Board introduced a Bill for the regulation of all the gas companies, including a provision for a price varying inversely as the dividend. This with other Gas Bills was referred to a Committee of which Mr. Forster was chairman, and they, after an elaborate hearing of all parties, gave their decision in favour of a sliding scale, in which the initial price of gas should be, as fixed by Mr. Cardwell's Committee, 3 *s.* 9 *d.* per 1,000 feet, and in which the initial dividend should be the maximum dividend (10 or 7 per cent.) already fixed by Parliament; with a provision that if the price of gas should be diminished the dividend should be increased, and that if the price was increased the dividend should be diminished, at the rate of one-fourth or 5 *s.* per cent. of dividend for every penny in price. On hearing this decision most of the companies withdrew, but the Commercial Company and the Ratcliffe Company (which were then amalgamating) consented to adopt Mr. Forster's sliding scale, and their Bill was passed accordingly. By the same Bill the amalgamating companies obtained power to raise an additional sum of 560,000 *l.*, half to be raised by loan and half by shares at 7 per cent., with a provision that not more than 200,000 *l.* should be raised without the previous consent of the Board of Trade.

In November 1875 the Chartered Company submitted to the Board of Trade a scheme for amalgamating their Company with the Imperial and the Independent Gas Companies. These three companies represented two-thirds of

the total capital invested in the London gas supply, and, with the exception of the district of the Commercial Gas Company and part of the district of the London Gas Company, embraced the whole of the supply north of the Thames. This scheme was submitted by the Board of Trade to the City and the Metropolitan Board of Works, and the companies were informed that it would not be approved by Her Majesty in Council without effectual conditions for the protection of the consumers. Much discussion followed between the City and the Metropolitan Board, representing the consumers, on the one hand, and the companies on the other. Eventually, with the assistance of the Government, acting as arbitrators, the scheme which is embodied in the Bill of the Chartered Company now before the House of Lords was agreed to by all parties. The principal features of that scheme are as follows :—

(1.) It adopts the provisions of Mr. Cardwell's Committee of 1868 with respect to illuminating power and purity, which, as above stated, have given general satisfaction.

(2.) It adopts the sliding scale of price and dividend of Mr. Forster's Committee of 1875.

(3.) It enables the companies to raise an additional sum of two millions. Of this, one million is to be raised by borrowing and the other by the issue of shares with a dividend of 10 per cent. But these shares are to be put up to public auction ; the whole of the money received from them is to be treated as capital of the company ; and no dividend is to be paid except upon the nominal capital, so that whatever be the premium upon the shares it will go to the credit of the concern, without dividend, and will not go into the pockets of existing shareholders.

It is to be expected that the precedent thus set will be followed in all future Bills for new capital, and the present extravagant mode of raising new capital and of encouraging the companies to raise it unnecessarily will thus be put an end to.

Under this scheme it will be the interest of the gas companies, as it is the interest of ordinary trading companies, to manage their concern with economy in order to increase the profits to their shareholders ; and to whatever extent they may do so the consumer will share in the profit in the shape of reduction of price. It will also be to their interest to raise as little additional capital as possible, since existing shareholders will no longer receive a premium upon new shares, and their dividend will be diminished by the addition of fresh capital.

Should, therefore, this scheme be adopted by Parliament, the legislation commenced in 1868 will be completed, and this long pending question will, it may be hoped, be satisfactorily settled.

In assenting to the above scheme Her Majesty's Government did not overlook the fact that any increase in dividend beyond the present statutory maximum would raise the value of existing shares, and might therefore, in case of some future purchase by the town increase the purchase money. But they did not think it necessary to provide against this contingency for the following reasons :—

(1.) No provision on this subject can have any specific effect unless provision for compulsory purchase is also introduced. Without it, any such provision must be "in the air." An enactment to the effect that in case of future purchase the purchase money shall be calculated on the present dividend only says, "If the companies sell, and if the terms of the purchase money are settled by relation to dividend, and if the number of years' purchase is also settled (all three being essential elements of the purchase, and all three being now unsettled), then the dividend shall not be taken to exceed 10 per cent." Such legislation is, to say the least, anomalous.

(2.) The provisions with respect to the raising of capital contained in the Rill, if adopted by Parliament in future legislation, will probably save far more in the shape of new capital than would by any increase of dividend be added to the value of existing capital.

(3.) The principle of the scheme is to give to the gas companies the same motives as actuate ordinary traders for making their concern profitable by economy. It seems inconsistent with this principle to say that if they do so they shall not, if forced to part with it, receive the full value they have thus earned.

(4.) If in case of increase of dividend the purchase money is not to be calculated upon that dividend, it would seem fair also to provide that in case of diminished dividend (which is not unlikely, if coal should again rise in price) the purchase money should not be diminished. This would tell against the purchaser.

(5.) The purchase by the municipality is not probable, nor is it a thing to be desired in itself, though it may under certain circumstances become necessary. If the dividend should increase, the price of gas, it must be remembered, will at the same time diminish, and in that case it is not likely that there will be any desire on the part of the consumers to purchase. A dividend at 14 per cent. under the sliding scale would carry with it a price of 2 *s.* 5 *d.* per thousand feet of gas, and at such a price there is not likely to be discontent or agitation.

According to the published accounts of the gas companies the consumption of common gas in London was 13,090,463 thousands of cubic feet in 1875. It will, no doubt, increase ; but, assuming this to be the amount in future, a reduction of 1 *d.* per 1,000 feet is equivalent to a reduction of an annual charge to the consumers of 54,543 *l.*, and consequently an increase of 1 per cent. dividend will carry with it, under the proposed sliding scale, a reduction of charge to the consumers in respect of common gas alone of four times the above sum, or not less than 218,172 *l.* a year.

(6.) The proposed amendment is contrary to the understanding with the companies. If it is forced on the companies they will probably drop their Bill, and no one can complain of them for doing so. They have their amalgamation already ; and it is not likely now that the shareholders have had their eyes opened to the effect of the auction clauses, that they will again consent to a scheme so favourable to the consumer. In short, the gas question will be again plunged into chaos, and the present opportunity of a satisfactory settlement will be lost.

Three out of the four companies supplying gas south of the Thames, viz. : the Phœnix, the London, and the Surrey Consumers, have come to an agreement with the Metropolitan Board of Works to adopt the same terms as are contained in the Bill of the Chartered Company, and a Bill embodying these terms is now before the House of Commons. Should that Bill and the Bill of the Chartered Company become law, there is every prospect that there will be two amalgamated companies, one to the north and one to the south of the Thames, subject to the same conditions, and that the long and vexed question of Metropolis Gas will be satisfactorily settled.

Board of Trade, 26 July 1876. *T. H. Farrer.*

APPENDIX, No. 2.

PAPERS handed in by Sir *Thomas Farrer*, 2 June 1891.

(J.)

LONDON COUNTY COUNCIL.

MEMORANDUM by the Vice-Chairman of the Council, having reference to the Recommendations submitted by the Special Committee on Water Supply and Markets.

(*This is a revise of a Memorandum which was circulated amongst members of the Committee before the adoption of the Recommendation.*)

On the 18th October this Committee reported their views as to the course it might be desirable for the Council to take on any legislation on the water question proposed by the City Corporation and by the delegates of Vestries and District Boards, and they were authorised, in conjunction with the Parliamentary Committee, to submit the views of the Council to Parliament on any Bills relating to water supply brought in next Session. They are now engaged in making the investigations necessary for this purpose, and while doing so have formed the opinion that the subject may raise questions which cannot be adequately dealt with in connection with the Bills in question.

The water question was inquired into by a Royal Commission in the years 1867–9, and it was again before Parliament in connection with the Government Scheme of 1880, but whilst the feeling in favour of placing the Water Supply of London in the hands of a public authority has increased in strength since that year, other circumstances have much changed. The Water Companies have added to their works and to their capital; representative bodies have been created in the counties in which lie the Metropolis, its suburbs, and the basins of the Thames and Lea; and a representative government has been for the first time given to London. But perhaps the greatest change is that which has taken place in the demand for and the supply of water. At the time of Lord Cross's scheme it was assumed that the existing sources of supply were sufficient in quality and quantity, and this view was supported by the Report of the Royal Commission of 1869. Reports of the Government Water Examiner have, however, thrown doubts on this assumption, and a recent report made by the Engineer to the Council has confirmed these doubts. According to that report the total average quantity of water taken daily from all sources has increased since 1867 from 98,000,000 gallons to 154,000,000 gallons (an average increase of about 56 per cent., and much more than 56 per cent. in the summer months), thus approaching rapidly to the 200,000,000 gallons which the Commission of 1869 regarded as the highest demand that could be reasonably looked forward to. The total population supplied has risen from 3,100,000 in 1867 to 5,500,000 in 1888, an increase of 77 per cent. This increase, which has taken place in 20 years, and which is apparently proceeding more rapidly than ever, exceeds the limits which the Commission of 1869 believed would have to be provided for, as is shown by the following passage in their report, viz.: "That a probable increase of population to 4,500,000 or 5,000,000 may have to be provided for, though we believe that the time for such an extended provision will be very remote." The Commissioners based their inference that a maximum quantity of 110,000,000 gallons a day might safely be withdrawn from the Thames on the hypothesis of an extreme dry weather flow of 350,000,000 gallons a day, at Teddington; whilst as a matter of fact the average flow of August 1885 was 210,000,000 gallons, falling on some days as low as 166,000,000 gallons; and that of August 1887, 240,000,000 gallons, falling as low as 154,000,000 gallons; whilst the water taken out of the river by the Companies on some days probably amounted to 35 per cent. of this amount. The Engineer's report further states that the whole available supply from the Lea is already entirely utilised, and that the amount of the supplemental supply from wells is uncertain. Nor is this all. As the population in the valleys of the Thames and Lea increase, the difficulty of maintaining the purity of the water increases also, whether the water be derived from the streams themselves or from the gravel beds in the valleys.

In these circumstances it is a very pressing question for the inhabitants of London whether the present sources of supply can be relied on, or whether the probability of having to obtain water from fresh sources, either by means of reservoirs in the upper valleys of the Thames and its feeders, or by aqueducts from distant hills in the West of England or Wales should not be fairly faced.

The City Corporation has held an inquiry (at which the Water Companies were not represented), which has resulted in a notice for a Bill to constitute a Trust, representing apparently all the various County Councils, Corporate bodies, and other authorities interested in the supply of water in the Thames and Lea watersheds, or in the sources of such supply, with powers to buy up the undertakings of the Companies, and to improve and regulate the supply. What are to be the constitution, powers, and funds of such a Trust no one can say till the Bill is produced. But it is obvious that to constitute a body which is to represent the City, the London Council, the Thames Conservators, and the Councils of all the Boroughs and Counties in the valleys of the Thames and Lea is no slight undertaking. Delegates of the vestries of London have given notice of a Bill enabling the Council, or a Trust to be created under the Bill, to buy up the existing Water Companies, and to regulate and improve the supply. Notice of a Bill has also been given to alter and apparently to limit the present powers of rating; and another notice relates to a Bill for authorising water to be charged for by meter.

The Council has given no notice, and can bring in no Bill; but it can appear in opposition to the above-mentioned Bills. The Council has offered to enter into negotiation with the Companies, but the replies from the Companies are not such as to encourage or render possible further proceedings with such negotiation. The Committee are making inquiry concerning fresh sources of supply, but these inquiries are only now commencing. They will probably occupy some time, and it is scarcely possible for the Council to present the case for a new supply in a satisfactory manner upon the Bills about to be introduced. These Bills will not be under the control of the Council; they will present definite issues, limited by their own notices, to which the Committee on the Bills will be restricted, and which will in all probability not embrace all the questions which the Council would wish to raise; and the Bills may be altered or may be dropped by their promoters at any moment, without the consent or control of the Council. In short, the Council will not, in the discussion of these Bills, be in a position to do justice to the subject or to their constituents; and it is probable that such a limited and imperfect mode of discussing the subject would, in the end, only lead to delay. It is further to be remembered, as an important feature in the case, that whilst the City of London Corporation and the Vestries have power to bring in Bills for the supply of water, the London County Council is, whilst the law remains as at present, expressly prohibited from so doing, either in the present or any future Session of Parliament.

There are in contemplation various schemes of great magnitude intimately connected with each other, relating to the River Thames and to the Water Supply of London. On some of these the Government are pledged to take action, and it will almost inevitably be obliged to take some part in all of them. Indeed it is out of the question to suppose that anything so important as the reform of the Water Supply of London could take place without the active intervention and help of the Government. The Government are not likely to be prepared with any definite plan of their own ; and are not likely under existing circumstances, and after all that has passed, to pledge themselves to any of the schemes before Parliament. At the same time their desire is no doubt in the main the same as that of the Council, viz., to provide the Metropolis with an adequate supply of water, on the best terms which are compatible with justice to existing interests ; and they will no doubt be entirely at one with the Council in the desire to throw light on the question of fresh sources of supply.

The first and most important question for the Council appears to be, to determine the course of action it is desirable now to adopt, having regard to all the circumstances, and the Committee suggest that the most satisfactory course is to ask the Government to initiate an inquiry on the subject.

5 December 1890. *T. H. Farrer.*

(K.)

In Parliament.—Session 1891.

LONDON WATER SUPPLY.

MEMORANDUM on behalf of the London County Council.

SINCE the proceedings before this Committee commenced (and especially since the intimation given by the Committee as to the London Water Commission Bill) communications and conferences upon the matters dealt with in the Bills before the Committee have taken place between the respective advisers of the London County Council and of the Corporation of London, and certain of the Local Authorities within the London water area outside the county of London, and these conferences have been followed by meetings between the respective Committees of the London County Council and the Corporation of London on the subject.

The object of these conferences was to ascertain whether some scheme for dealing with the subjects involved might be devised for submission to Parliament, which would meet with the views of the Local Authorities in the areas affected.

A meeting of representatives of the London County Council and some of the principal sanitary authorities in the outer area was held on the 8th instant.

Although the circumstances of these districts vary materially, it is found that there exists among them considerable unanimity on certain of the principles set out below, and it is expected that the arrangement there indicated will generally receive the support of the Local and Sanitary Authorities of the districts adjoining London, rather than the principles contained in the Metropolis Water Supply Bill.

The London County Council have caused communications to be addressed to the Vestries and District Boards of London, and they believe it will be found that many of these authorities, including the Vestries of some of the larger parishes, would support a settlement of the question on the lines above indicated.

The London County Council will be prepared to submit to the Committee the reasons which have led them to concur with the City of London in the view that the water authority should not at present be placed under any obligation to purchase the existing water undertakings, as proposed by the Metropolis Water Supply Bill, but that they should be left free (after completing the inquiries now in progress) to submit to Parliament such scheme as they may consider best adapted to meet the present and future requirements of the County of London and the adjoining area.

The following are the principles which, in accordance with the above, the London County Council would submit as the basis of settlement :—

1. That a Committee of the London County Council should be constituted, whose functions should be defined by statute.

2. That this Committee should consist of forty-eight members (or some other number divisible by eight), of whom seven-eighths should be nominated by the London County Council and one-eighth by the City of London.

3. That matters of administrative detail should be delegated absolutely to the Committee, but that all important questions should be referred for the consideration and decision of the Council.

4. That the question of the efficiency of the present sources of supply for the future requirements of London and neighbourhood requires further investigation before any decision can be come to as to the expediency or terms of purchasing all or any part of the undertakings of the water companies.

5. That the powers of the Council in respect of water supply should at first consist of powers for the purposes indicated in the London County Council (Water Supply, &c.) Bill, and should also include powers for the purchase or leasing by agreement of all or any part of any of the existing water undertakings, or any water or water rights.

6. That the functions of the Council and of the Committee should extend to the supply of water throughout the whole district of supply (whether within or without the administrative county of London) of any Metropolitan Water Company whose undertaking may be purchased.

7. In the event of the undertaking of any Metropolitan Water Company being purchased, any Local Authority outside the London county boundary, and within the area of supply of such company, should have the option either (1) of purchasing on suitable terms so much of the works of distribution as is appropriated to the district of such Local Authority, with the right to a supply of water in bulk from the London Council on terms to be arranged ; or (2) of having water supplied direct by the London County Council.

(L.)

SAVORY - - - - Mayor.

A Common Council holden in the Chamber of the Guildhall of the City of London, on Thursday, the 14th day of May 1891.

RESOLVED and ORDERED, that the Committee for County Purposes be authorised, in connection with the Reference of the 11th day of December last "to prosecute a Bill in Parliament on the subject of the Water Supply of the Metropolis," to print, when prepared, a Statement of the negotiations between that Committee and the London County Council in respect thereof, and to send a copy of such Statement to every Member of this Court.

Monckton.

MEMORANDUM prepared under the directions of the County Purposes Committee, of their Communications with the London County Council on the subject of the Water Supply of the Metropolis.

With reference to the earlier Proceedings and Reports of the Committee, it is only necessary here to mention that the Court of Common Council, on 30th October last, approved of a Report recommending "That the County "Purposes Committee be empowered to confer with the Committee of the London County Council upon the subject "generally of water supply."

When the Corporation Bill for the establishment of a Water Commission, and the Bill prepared by some of the Vestries and District Boards, known as the "Vestries Bill," for the immediate purchase of all the Water Companies, were introduced into Parliament, the London County Council found themselves entirely in accord with the Corporation in opposing the Vestries' Bill, which proposed the immediate buying up, without further inquiry, of the eight Water Companies.

So far as the Corporation Bill was concerned, the London County Council were in accord with its object and scope and the duties to be thrown upon the new Authority, but they did not agree with the mode in which that new Authority was to be constituted, and this they have stated expressly to the Select Committee of the House of Commons to whom both Bills have been referred.

After the case for the Corporation Bill had been opened by Counsel, the Committee took no evidence upon it. They did not find the preamble "not proved" in the ordinary technical sense of those words, but expressed dissatisfaction with any Bill that only proposed to give powers to prosecute further Bills or inquiries.

They then proceeded to consider the Vestries' Bill, which Bill, as already stated, both the Corporation and the London County Council are opposing, and on which the promoters are still calling evidence.

On the 30th April a letter was received from the Parliamentary Agent of the London County Council, in which he says—

> "We are to have a meeting of the Special Water Committee, to whom these Bills are referred, on "Monday, at Spring Gardens. Would you and some of the Members of your Committee meet us there? "If anything is to be done in the way of concerted action, it is obvious not a day is to be lost."

To this invitation the County Purposes Committee responded, and a conference took place on Monday, the 4th May, when the recognition of the independent position of the Corporation was stated as a fundamental basis of action on the part of the County Purposes Committee.

The result of that conference was, that the County Purposes Committee and the London County Council were at one on certain main propositions for the establishment of a Water Authority for London and its suburbs, the fundamental one being the formation of a Statutory Committee by the Corporation and the London County Conncil.

The total number of the Committee was suggested to be 48, but until information is obtained in greater detail as to the duties to be performed, the actual number cannot be fixed. Having regard to the proportions in which the two bodies should appoint the Statutory Committee, it was considered that rateable value afforded the most satisractory basis, and this would give one-eighth of the representation to the Corporation and seven-eighths to the London County Council. With regard to the large and important area, outside the jurisdiction of the Corporation and the London County Council, which is supplied by the same Companies, it was thought that a satisfactory mode of meeting the views of the different authorities having jurisdiction over that area might be found in a proposition to supply those authorities with water in bulk, leaving them to distribute it to the consumers within their respective jurisdictions in whatever manner they might find most desirable.

This proposition seems to have met with general favour at the hands of the authorities referred to.

During the sitting of the Select Committee on the 13th May, the London County Council had another conference at the Houses of Parliament with the County Purposes Committee, when the following note was made to form a basis for future action :—

At a conference between the Members of the County Purposes Committee of the Corporation and the Special Committee of the London County Council, it was agreed to instruct Counsel as follows :—

1. Appoint a Water Committee as hereinafter defined, viz., seven-eighths to be appointed periodically by, and to be members of, the London County Council, and one-eighth fit and proper persons by the Corporation.

   To be a Statutory Committee and a Committee of the London County Council.

2. Power to the Committee to promote Bills which may be approved by the London County Council for (*a*) new supply of water, (*b*) purchase, (*c*) or both.

3. To take a limit of time if forced to do so.

4. Charge the costs of Act and administration of Committee and of promotion on General County Rate.

5. To legislate as to Committee this year, if possible.

6. If impossible, Corporation and London County Council to promote Bills next year, on these lines, the expense of such Bills to be borne by the Corporation in case Bills do not pass.

7. The supply of water in each district in the Metropolitan Water Area, outside the boundary of the County of London, to be as far as practicable in the hands of the Local Authority of each district, and within the County of London in the hands of the said Statutory Committee.

8. The Committee to have full power over details, but questions of principle and policy to be reserved to the London County Council.

13 May 1891.

Although most of the paragraphs speak for themselves, it may be mentioned in explanation that by a Statutory Committee is meant a body, not only created by Statute, but having defined statutory powers, within which it has independence of action. Analogous cases are familiar, such as Police Committees, Committees of Visitors to Lunatic Asylums, and Commissioners of Sewers.

Paragraph 6 is to cover the possibility of the Select Committee making a special Report to Parliament instead of passing any Bill. If any Bill passes, a clause charging the costs on the County Rate could be inserted; but if none passes, the London County Council have no power to spend any money in promoting a Bill. It is therefore a matter of law and necessity for the Corporation to bear this burden, as they have done on so many similar occasions.

APPENDIX, No. 3.

PAPER handed in by Mr. *H. L. Cripps.*

(M.)

LONDON WATER SUPPLY.

REPLIES to Letter asking Vestries and District Boards to express by Resolution their opinion of the Metropolis Water Supply Bill.

INDEX to Replies to Letter asking Vestries and District Boards to express by Resolution their opinion of the Metropolis Water Supply Bill.

1.—Battersea	No reply.	21.—Plumstead	Reply received.
2.—Bermondsey	No reply.	22.—Poplar	No reply.
3.—Bethnal Green	Reply received.	23.—Rotherhithe	No reply.
4.—Camberwell	Reply received.	24.—St. George-in-the-East	No reply.
5.—Chelsea	Reply received.	25.—St. George, Hanover Square	Reply received.
6.—Clerkenwell	No reply.	26.—St. George-the-Martyr, Southwark.	No reply.
7.—Fulham	No reply.	27.—St. Giles District Board	Reply received.
8.—Greenwich	Reply received.	28.—St. James, Westminster	Reply received.
9.—Hackney	No reply.	29.—St. Luke, Middlesex	No reply.
10.—Hammersmith	Reply received.	30.—St. Martin-in-the-Fields	Reply received.
11.—Hampstead	Reply received.	31.—St. Marylebone	No reply.
12.—Holborn	Replies received.	32.—St. Olave	No reply.
12A.—Ditto		33.—St. Pancras	Reply received.
13.—Islington	Reply received.	34.—St. Saviour's	Reply received.
14.—Kensington	Reply received.	35.—Shoreditch	No reply.
15.—Lambeth	No reply.	36.—Strand	Reply received.
16.—Lewisham	Reply received.	37.—Wandsworth	Reply received.
17.—Limehouse	No reply.	38.—Westminster	Reply received.
18.—Mile End Old Town	No reply.	39.—Whitechapel	No reply.
19.—Newington	Replies received.	40.—Woolwich	No reply.
19A.—Ditto			
20.—Paddington	Replies received.		
20A.—Ditto			

1.—Battersea (Population, 1881 - - - 125,912).

No reply.

2.—Bermondsey (Population, 1881 - - - 86,652).

No reply.

3.—Bethnal Green (Population, 1881 - - - 126,961).

The Vestry Hall, Church-row, Bethnal Green, E.,
10 April 1891.

Sir,

In reply to your circular letter of the 24th ultimo, I have to inform you that the Vestry of Bethnal Green have presented a Petition to the House of Commons in favour of the Metropolitan Water Supply Bill.

The vestry approve of the main provisions of the Bill, which provides that the water companies undertakings shall be transferred to a central representative authority whether the London County Council or not.

Yours, &c.

H. De la Hooke, Esq. (signed) *Robert Voss*, jun., Acting Clerk.

4.—Camberwell (Population, 1881 - - - 186,593).

Metropolis Water Supply Bill.

Vestry Hall, Camberwell, S.E., 22 May 1891.

Dear Sir,

I have to acknowledge the receipt of your circular letter of the 15th instant, which shall be laid before the vestry at its meeting on the 10th June next.

I may add that the vestry at its last meeting negatived a proposal to give a further grant of 100 *l.* in support of the above Bill.

Yours, &c.

H. L. Cripps, Esq. (signed) *Geo W. Marsden*, Vestry Clerk.

5.—Chelsea (Population, 1881 - - - 88,128).

Metropolis Water Supply Bill.

Dear Sir, Town Hall, King's-road, S.W., 28 May 1891.

I LAID before the vestry, at their meeting on Tuesday last, your letter of the 15th instant. upon this subject, when they passed a resolution as follows :—

"That the clerk inform Mr. Cripps that from information received the vestry will require stronger evidence than that adduced by his letter and enclosure, as to the large measure of support the proposals of the council has received from the districts outside the county of London, and that the vestry regret to learn that 'it is expected to obtain the approval of the Corporation of the City of London' thereto.

"That the vestry have contributed largely to the cost of promoting the Metropolis Water Supply Bill, and are informed that the promoters have only been too anxious to secure the advice and assistance of the London County Council, and were therefore willing to agree to considerable modifications of the Bill.

"That if reference be made to Clauses 54 and 55 of the Bill, the council will see that they can become the water authority for the county of London if so disposed, and the vestry suggest for the consideration of the council that it would be far preferable for them to adopt these provisions and become themselves the governing body.

"That if, as the vestry understand, the London County Council has based its expectation of the approval of the corporation on a concession of a disproportionate representation to that body on the Water Commission, the vestry protest strongly against the proposal as one grossly unfair to the poorer population of the metropolis, and a violation of the principle on which the London County Council was itself elected."

I am, &c.

Henry L. Cripps, Esq. (signed) *Thos. Holland*, Vestry Clerk.

6.—Clerkenwell (Population, 1881 - - - 69,076).

No reply.

7.—Fulham (Population, 1881 - - - 42,900).

No reply.

8.—Greenwich (Population, 1881 - - - 131,233).

Water Bills.

Sir, 141, Greenwich-road, Greenwich, S.E., 2 April 1891.

I LAID your letter of the 24th ultimo before my board last evening, and beg to inform you, that the resolution, of which I send a copy on the fly leaf, was passed.

I am, &c.

The Clerk, London County Council, Spring Gardens, S.W. (signed) *J. Spencer*, Clerk of the Board.

At a meeting of the Board of Works for the Greenwich District held on Wednesday the 1st of April 1891, it was

Resolved,—"That this board strongly disapproves of the provisions of the Metropolis Water Supply Bill, as they involve principles of a novel and complicated character, leading to the establishment of an entirely new and non-representative body, and tending to create confusion of jurisdiction and extravagant finance, and considers that the clauses relating to the acquisition of the property of the water companies upon terms to be settled by an arbitration board constituted as therein proposed, are most unsatisfactory and unfavourable to the consumers, and this board is of opinion that no legislation will be satisfactory to the ratepayers, which does not place the supply of water to the metropolis under the control of a directly representative municipal body."

9.—Hackney (Population, 1881 - - - 186,462).

No reply.

10.—Hammersmith (Population, 1881 - - - 71,939).

Metropolis Water Supply.

Dear Sir, Vestry Hall, Broadway, Hammersmith, W., 22 May 1891.

WITH reference to your letter, dated 15th instant, I beg to hand you on the other side copy of a resolution passed by this vestry at its meeting held on Wednesday evening last.

Yours, &c.

H. L. Cripps, Esq. (signed) *W. R. Cockburn*, Vestry Clerk.

Resolved,—"That in the opinion of this vestry the supply of water to the administrative county of London, and to any area at present supplied by a Metropolitan Water Company, should be in the hands of one central authority."

11.—Hampstead (Population, 1881 - - - 45,452).

Dear Sir, Vestry Hall. Hampstead, N.W., 17 April 1891.

ADVERTING to your circular letter of the 24th ultimo, forwarding for distribution to the members of the vestry of Hampstead copies of the report of the London County Council's Parliamentary Committee on the various Water Bills now before Parliament, I am desired to transmit the annexed copy of a resolution which has been passed by the vestry of this parish on the subject.

I am, &c.

H. De la Hooke, Esq. (signed) *Thomas Bridger*, Vestry Clerk.

Resolved,—"That the London County Council be informed, in reply to their letter on the subject of the London Water Bills now before Parliament, that the vestry approve of the council applying to Parliament for powers to introduce Bills dealing with the water question, and would prefer that the council should be entrusted with the carrying out of the provisions of any Bills which shall be passed, and that such provisions should include the purchase of the existing undertakings, and the improvement of the water supply."

12.—Holborn (Population, 1881 - - - 35,258).

Metropolis Water Supply.

Holborn Town Hall, Gray's Inn-road, W.C., 7 April 1891.

Sir,

I AM instructed by the district board to forward you the annexed copy resolutions, passed by the board on the 6th instant, upon the above-mentioned subject.

I am, &c.,

To the Clerk, London County Council. (signed) *S. W. Hopwood*, Clerk.

"That this board approves the principle of the Metropolis Water Supply Bill, and sees no reason why the same should not (subject to some amendments on points of detail) become law this Session.

"This board is also of opinion that as the Bill referred to provides alternative schemes for a new Water Trust, or for the London County Council to be the constituted authority, it should be left to Parliament to decide as to which authority should be the one to carry the Act into execution; and further, that in view of the observations of Mr. W. H. Smith on the second reading of the Bill, and the remarks of the President of the Local Government Board, 'That this measure really constitutes the basis of the subject which has to be considered by the Select Committee,' this board expresses its strong disapproval of the attitude of the London County Council in regard to the measure.

"That a copy of the forgoing resolution be sent to the President of the Local Government Board, to the London County Council, and to each vestry and district board of the Metropolis."

12A.—Holborn (Population, 1881 - - - 35,258).

Metropolis Water Supply Bill.

Holborn Town Hall, Gray's Inn-road, W.C., 2 June 1891.

Dear Sir,

YOUR letter of the 15th ultimo was laid before the board at their meeting yesterday.

The district board have desired me to say in reply, that inasmuch as no existing body represents the interests of the water consumers within the area of supply, the board are of opinion that the new water authority should be constituted of persons representing the whole of such area.

The board adhere to the resolutions conveyed in my letter of the 7th April, expressing their strong disapproval of the attitude of the London County Council in offering an uncompromising opposition to the Bill, as such opposition is calculated to delay legislation, which in view of the quinquennial re-valuation must materially increase future cost of purchase to the ratepayers.

I am, &c.

Henry S. Cripps, Esq. (signed) *S. W. Hopwood*, Clerk.

13.—Islington (Population, 1881 - - - 282,865).

Metropolis Water Supply Bill.

Vestry Hall, Upper street, N., 7 April 1891.

Sir,

REFERRING to your circular letter of the 24th ultimo, I beg to inform you that the vestry has resolved to present a petition to Parliament in favour of the principle of the above Bill.

I am, &c.

H. De la Hooke, Esq. (signed) *Wm. F. Dewey*, Vestry Clerk.

14.—Kensington (Population, 1881 - - - 163,151).

Metropolis Water Supply Bill.

Town Hall, Kensington High-street, W., 27 April 1891.

Sir,

ADVERTING to your communication of the 24th ultimo, asking to be informed of the views entertained by the vestry with regard to the Metropolis Water Supply Bill, am directed to acquaint you that this vestry at their last meeting resolved to present a petition under seal in favour of the same.

I am, &c.

H. De la Hooke, Esq. (signed) *Wm. Chambers Leete*, Vestry Clerk.

15.—Lambeth (Population, 1881 - - - 253,699).

No reply.

16.—Lewisham (Population, 1881 - - - 53,065).

Lewisham District Board of Works, 7 May 1891.

Sir,

I BEG to inform you that the board have considered your letter, dated 24th March last, with reference to the Metropolis Water Supply Bills.

I am directed to forward to you the underwritten resolution which was passed by them on the subject at their meeting held yesterday.

"That in the opinion of this board, any Bill in Parliament or to be introduced into Parliament, dealing with the supply of water to the metropolis, will not be considered satisfactory which does not confer on a popular representative authority, power to construct and maintain a separate and independent supply of water without being compelled to purchase the present water undertakings, whether drawn from the same sources of supply or otherwise."

I am, &c.

The Clerk, London County Council. (signed) *Edw. Wright*, Clerk to the Board.

17.—Limehouse (Population, 1881 - - - 58,543).

No reply.

18.—Mile End Old Town (Population, 1881 - - - 105,613).

No reply.

19.—Newington (Population, 1881 - - - 107,850).

Sir, Vestry Hall, Walworth, S.E., 11 April 1891.

I AM directed by the vestry to acknowledge the receipt of your circular letter of the 24th ultimo, transmitting copies of the report of the Councils Parliamentary Committee on the various Water Bills now before Parliament, and to thank the council for the same.

I am also directed to state with reference to the request that the council may be informed of the views of the vestry with regard to the Metropolis Water Supply Bill, that this vestry are almost unanimously in favour of the Bill, and are doing all in their power to get the same passed into law.

It may be useful to the council to know that the vestry have not only taken a very active part in the preparation of the Bill, prior to its introduction into Parliament, but have made a liberal contribution towards the expenses thereof.

Yours, &c.

The Clerk, London County Council. (signed) *L. J. Dunham*, Vestry Clerk.

19A.—Newington (Population, 1881 - - - 107,850).

Metropolis Water Supply Bill.

Dear Sir, Vestry Hall, Walworth-road, S.E., 29 May 1891.

I SUBMITTED your letter of the 15th instant upon this question to the vestry at their last meeting, when they referred the same, with others received on the same subject, to their works and sanitary committee to consider and report thereon.

The committee met on Monday evening last, but owing to other pressing matters before them, did not arrive at any decision on the several points raised in your letter.

As soon, however, as they have reported their deliberations to the vestry, and a decision has been arrived at, I will communicate the result to you.

I am, &c.

H. L Cripps, Esq. (signed) *J. L. Dunham*, Vestry Clerk.

20.—Paddington (Population, 1881 - - - 107,218).

Metropolis Water Supply.

Sir, Vestry Hall, Harrow-road, 8 April 1891.

REFERRING to your circular letter of the 24th ultimo, I am instructed to forward you the following copy resolution passed by the vestry at its meeting of the 17th ultimo :—

"That in the opinion of this vestry the water supply of the metropolis and adjoining districts should be under the control of a public authority ; but that this authority ought to be a directly representative body, elected for the purpose, and that it would not be satisfactory to make the London County Council the authority."

"That this vestry, without expressing an opinion as to the other details, considers that the Metropolis Water Supply Bill merits the careful consideration of a Select Committee of the House of Commons."

I am also to request that you will be good enough to forward me 150 copies of the Report of the Council's Parliamentary Committee on the London Water Bills now before Parliament, as the vestry has ordered that the same be annexed to their printed minutes.

I am, &c.

H. De la Hooke, Esq. (signed) *Frank Dethridge*, Vestry Clerk.

20A.—Paddington (Population, 1881 - - - 107,218).

Metropolis Water Supply Bill.

Sir, Vestry Hall, Harrow-road, 23 May 1891.

REFERRING to your letter of the 15th instant, I am instructed to inform you that this vestry adheres to the resolutions already passed upon the above-mentioned subject, copies of which have been forwarded to the London County Council.

I am, &c.

H. De la Hooke, Esq. (signed) *Frank Dethridge*, Vestry Clerk.

21.—Plumstead (Population, 1881 - - - 63,663).

Sir, Plumstead District Offices, Old Charlton, Kent, 29 April 1891.

I HAVE been instructed by this board to state that, having considered the various London Water Bills now before Parliament, this board, without expressing any opinion as to the other Bills, is of opinion that it is desirable that a Bill should be passed, as mentioned in the Report of your Parliamentary Committee of 12th February 1891, giving power to the council to introduce into Parliament Bills dealing with the water question.

I am, &c.

The Clerk, London County Council. (signed) *George Whale*, Clerk.

22.—Poplar (Population, 1881 - - - 156,510).

No reply.

23.—Rotherhithe (Population, 1881 - - - 36,024).

No reply.

24.—St. George-in-the-East (Population, 1881 - - - 47,157).

No reply.

25.—St. George, Hanover-square (Population, 1881 - - 89,573).

Vestry Hall, Mount-street, Grosvenor-square, W.,
Sir, 7 April 1891.

I READ yours of the 24th ultimo, enclosing copies of the report of the Parliamentary committee of the council on the various water bills before Parliament this Session for distribution amongst members of the vestry, to the vestry at their last meeting. The vestry have taken action on the undermentioned Bills as follows, viz.:—

Metropolis Water Supply Bill.—Petitioned against.

London Water Meter Bill.—Approved of the principle of the Bill, but are of opinion that the details require careful consideration to properly safeguard the supply of water to the houses of the humbler classes.

London Water Commission Bill.—The vestry took no action on this Bill.

Metropolitan Water Companies Charges Bill.—Petitioned in favour of this Bill.

I am, &c.
H. De la Hooke, Esq. (signed) *J. H. Smith*, Vestry Clerk.

26.—St. George-the-Martyr, Southwark (Population, 1881 - - - 58,652).

No reply.

27.—St. Giles' District Board (Population, 1881 - - - 45,382.)

Metropolitan Water Supply Bill.

Board of Works, 127, High Holborn, W.C.,
Dear Sir, 29 May 1891.

I SUBMITTED your letter of the 15th instant to the board at its meeting on Tuesday last, when it was resolved that I should reply, and state that the board are not in a position to offer any opinion upon the question raised by you, and they think that the tribunal to whom the Bill has been referred is much more competent, assisted as it is with the very best professional opinions, to deal with the subject.

I am, &c.
Henry L. Cripps, Esq. (signed) *Henry C. Jones.*

28.—St. James', Westminster (Population, 1881 - - - 29,941).

Sir, Vestry Hall, Piccadilly, W., 4 April 1891.

I AM directed to acknowledge the receipt of your letter of the 24th ultimo, forwarding copies of the report of the council's Parliamentary committee on the various water Bills which are now before Parliament.

In reply thereto, I am to state that having carefully considered the several Bills, the vestry are unable to agree with the views of the council's committee thereon, especially as regards the Metropolis Water Supply Bill. On the contrary, the vestry are of opinion that this Bill affords a satisfactory basis for the settlement of the water question, and have passed a resolution thereon as follows :—

"That this vestry cordially approves the principle of the Metropolis Water Supply Bill, and trusts that the same may become law this Session, with such amendments in points of detail as Parliament may see fit to make therein."

I am, &c.
The Clerk, London County Council. (signed) *Harry Wilkins*, Vestry Clerk.

29.—St. Luke's, Middlesex (Population, 1881 - - 46,849).

Metropolis Water Supply Bill.

Dear Sir, Vestry Hall, City-road, E.C., 2 June 1891.

I AM directed by the vestry of this parish to acknowledge receipt of your letter of the 15th ultimo upon this subject. The vestry came to no decision upon your question.

I am, &c.
Henry T. Cripps, Esq. (signed) *Geo. Preston*, Clerk.

30.—St. Martin-in-the-Fields (Population, 1881 - - - 17,508).

Metropolis Water Supply Bill.

Sir, Vestry Hall, St. Martin's-place, 17 April 1891.

IN reply to your letter of the 24th ultimo, I have been instructed to state that at present the vestry are not in a position to express any opinion upon the above Bill.

Yours, &c.
The Clerk, London County Council. (signed) *G. W. Murnane.*

31.—St. Marylebone (Population, 1881 - - - 154,910).

No reply.

32.—St. Olave (Population, 1881 - - - 11,956).

No reply.

33.—St. Pancras (Population, 1881 - - - 236,258).

Sir, Vestry Hall, Pancras-road, 19 March 1891.

THE vestry at their last meeting had under consideration the question of the London Water Supply, and adopted, on the recommendation of their Parliamentary and General Purposes Committee, the following resolutions, viz. :—

"That the vestry do record their opinion that the London Water Commission Bill, and the Metropolitan Water Supply Bill are unsatisfactory, on the ground that the water supply of London ought, subject to proper restrictions, to be under the control of the London county council, also that the council is the authority whom Parliament ought to empower to deal with such supply, and that the council ought to accept the responsibility of preparing and promoting in Parliament any Bill dealing with the question."

"That the vestry have petitions prepared against the London Water Commission Bill, and the Metropolitan Water Supply Bill, that the seal of the vestry be affixed thereto, and that such petitions be presented to Parliament, and further, that authority be given to employ counsel, if the committee think it necessary, to support the vestry's opposition thereto."

I am, &c.

The Clerk, London County Council. (signed) *T. E. Gibb*, Vestry Clerk.

34.—St. Saviour's (Population, 1881 - - - 28,662).

Metropolis Water Supply.

Emerson-street, Bankside,
Southwark, S.E., 2 May 1891.

Dear Sir,

THE board have considered your circular letter of the 24th March last, inquiring their views on the question of water supply, and have passed the following resolution :—

"That while declining to express any opinion as to the relative merits of the various Bills at present before Parliament for the regulation of the water supply of the Metropolis, this board consider it of primary importance for the health of its inhabitants that the water supply of London should be copious in quantity, pure in quality, and reasonable in price, and that it is the duty of the London county council to provide the same."

Yours, &c.

H. De la Hooke, Esq., Clerk. (signed) *W. H. Atkins*, Clerk.

35.—Shoreditch (Population, 1881 - - - 126,591).

No reply.

36.—Strand (Population, 1881 - - - - - 32,587).

Metropolis Water Supply Bill.

Board of Works, 5, Tavistock-street,
Covent Garden, W.C., 29 May 1891.

Dear Sir,

IN reference to your letter of 15th instant, I am directed by the board to send you the enclosed copy of a resolution passed by the board on 15th October last, on the subject of the water supply of the metropolis. The board is unable to answer your inquiries more fully within the time limited, but I think the resolution already passed will suffice for your purpose.

I am, &c.

H. L. Cripps, Esq. (signed) *H. Andrews*, Clerk of the Board.

Extracts from Minutes of the Board of Works for the Strand District.

At a meeting of the Strand Board of Works, held on Wednesday, the 15th October 1890, a report was read from the Lighting and Water Committee from which the following is an extract.

"Your Committee are of opinion that no action should be taken to acquire the property of the various companies until further information has been obtained as to the present value of the undertakings, the adequacy of the present sources of supply and the possibility of obtaining water from an independent source."

It was moved, seconded, and resolved unamiously, that the report be received and adopted.

37.—Wandsworth (Population, 1881 - - - 103,172).

Metropolis Water Supply Bill.

Board of Works, East Hill, Wandsworth,
23 April 1891.

Sir,

REFERRING to your letter of the 24th ultimo, I am directed by this board to inform you that they thoroughly approve of the principle of this Bill. I enclose prints of a petition, which the board have presented to Parliament, with regard to the Bill, which further explains their views on the subject.

I am, &c.

The Clerk, London County Council. (signed) *Hen. Geo. Hills*, Clerk.

38.—Westminster (Population, 1881 - - - 60,175).

Vestry Offices, Town Hall,
Westminster, S.W., 13 April 1891.

Sir,

I SUBMITTED your letter of the 24th ultimo, forwarding copies of the report of the Council's Parliamentary committee on the various Water Bills which are before Parliament this Session, to this vestry at its last meeting, when the same was referred to the Parliamentary committee for consideration and report.

I am, &c.

The Clerk to the London County Council. (signed) *J. E. Smith*, Vestry Clerk.

39.—Whitechapel (Population, 1881 - - - 71,314).

No reply.

40.—Woolwich (Population, 1881 - - - - 36,665).

No reply.

(N.)

To the Commons of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Vestry of the parish of St. Matthew, Bethnal Green, in the county of Middlesex,

Sheweth,—

Your petitioners are the Local Sanitary Authority for the parish of Bethnal Green, in the county of Middlesex.

One of the most urgent needs of the inhabitants of the parish is a sufficient and cheap supply of pure water.

The parish is supplied by the East London Waterworks Company, one of the Metropolitan Water Companies.

The Metropolitan Water Companies are private undertakings, and are mainly directed in the carrying out the statutory duties imposed, with the view to secure profit for the undertakers, to the exclusion of the important sanitary objects of providing a proper and inexpensive supply to the consumers.

Your petitioners being of opinion that if the undertakings of the Metropolitan Water Companies were acquired by and conducted by a public body not seeking to derive a profit, great benefit would be conferred on the inhabitants of the metropolis, as has been experienced with regard to regard to populous towns in the kingdom.

There have been introduced in the present Session to your Honourable House bills having in view such acquisition and future regulation of the Metropolitan Water Supply, and among them the Metropolis Water Supply Bill.

Your petitioners, believing that the objects sought to be effected by the Metropolitan Water Supply Bill, with such modifications and additions as to your Honourable House may seem fit, would greatly benefit the inhabitants of the metropolis, humbly pray the favourable consideration of the Bill.

And your petitioners as in duty bound will every pray, &c.

(O.)

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Vestry of the parish of St. Mary, Islington, in the county of London,

Sheweth, as follows :—

A Bill hereinafter called "the Bill" has been introduced into your Honourable House, intituled, "A Bill to place the water supply of the metropolis and the adjoining districts under the control of a public authority, and to make further provision for such supply."

That such Bill is promoted with a view of securing an improved and additional supply of water within the metropolis and adjoining populous places, and of diminishing the expense of such supply, and of vesting in a single authority by agreement or otherwise the undertakings of the metropolitan and other water companies mentioned in the Bill.

That the parish of St. Mary, Islington, which is within the area included within the scope of the Bill, covers an area of 3,107 statute acres, containing 115 miles of streets, and has a population estimated to amount to 320,000 ; and that its rateable hereditaments number 43,163, with a gross annual value of 2,025,631 *l.*, and a rateable annual value of 1,686,385 *l.*

That your petitioners are the vestry of the said parish, and as such represent the inhabitants thereof, who are larger consumers of water for household and trading purposes, and are deeply interested in the supply and purity of the water. As a sanitary authority, your petitioners are also deeply interested in the supply of water.

There are several Bills now pending in your Honourable House relating to the supply of water in the metropolis to which the attention of your petitioners has been called, viz., The London Water Commission Bill ; the London Water (Meter) Bill ; The Metropolitan Water Companies Charges Bill ; the Croydon Water Bill ; and the Southwark and Vauxhall Water Bill, but none of such Bills adequately provide for or meet the exigencies of the present imperfect legislation, so as to afford a remedy for the deficiency, impurity, and unnecessary expense of the existing supply of water to and within the metropolis and adjacent districts.

That it would be for the advantage of your petitioners, and those whom they represent, that the Metropolis Water Supply Bill, or some similar measure, should become law as early as possible.

Your petitioners therefore humbly pray that your Honourable House will be pleased to pass the said Metropolis Water Supply Bill with such amendments therein as to your Honourable House may seem meet.

And your petitioners will ever pray, &c.

The seal of the Vestry was affixed by order the 9th day of April 1891.

Seal.

Wm. F. Deeney, Vestry Clerk.

(P.)

In the House of Commons.—Session 1891.

Metropolis Water Supply.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Vestry of the parish of St. Mary Abbotts, Kensington, in the administrative county of London,

Sheweth,—

1. That your petitioners are one of the vestries mentioned in Schedule A. to the Metropolis Management Act, 1855, and are incorporated thereby, and under that Act, and the Acts amending the same or incorporated therewith, your petitioners exercise various powers and duties relating to the loaal management of, and are the local authority for the said parish.

2. That the parish over which your petitioners exercise jurisdiction covers an area of 2,245 statute acres, contains about 23,500 inhabited houses, and a population approaching 200,000 persons, and possesses a rateable value of 1,999,763 *l.*

3. That your petitioners are also the sanitary authority for the said parish, and as such are interested in securing for the inhabitants of Kensington an adequate and pure supply of water at the lowest possible cost

4. That a Bill is now before your Honourable House, intituled, "A Bill to place the Water Supply of the Metropolis and the adjoining Districts under the control of a Public Authority, and to make further provisions for such supply."

5. That such Bill is promoted with a view of securing an improved and additional supply of water within the metropolis and adjoining populous places, and of diminishing the expense of such supply, and of vesting in a single authority, by agreement or otherwise, the undertakings of the metropolitan and other water companies mentioned in the Bill.

6. That in the opinion of your petitioners the time has arrived when the control of the water supply of this vast metropolis should be transferred from the companies who at present possess the same for the purposes of personal profit to a public authority, and they accordingly trust that the Bill in question may form the basis for legislation upon this important question.

Your petitioners therefore humbly pray that the said Metropolis Water Supply Bill, amended in such a manner as may seem meet to your Honourable House, may be allowed to become law.

And your petitioners will ever pray, &c.

The common seal of the Vestry was affixed thereto pursuant to resolution, in the presence of
Wm. Chambers Lute, Vestry Clerk.

Seal.

(Q.)

In the House of Commons, Session 1891.

Metropolis Water Supply Bill.

Petition for alteration.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble petition of the Board of Works for the Wandsworth district, in the administrative county of London, under their common seal,

Sheweth,—

1. That your petitioners are the local authority constituted under the Metropolis Management Acts for the district of Wandsworth, which comprises the parishes of Clapham, Putney, Streatham, Tooting, and Wandsworth, having an area of over 14¼ square miles, a population of about 160,000, and a rateable value of 1,053,758 *l.*

2. That a Bill (hereinafter referred to as the Bill) has been introduced into your Honourable House, intituled, "A Bill to place the Water Supply of the Metropolis and the adjoining Districts under the control of a Public Authority, and to make further provision for such supply."

3. Clauses 3 and 4 of the Bill provide for the establishment of a Water Trust as a public body representing the water consumers and inhabitants of the metropolitan water area, and for conferring upon such trust the exclusive power of supplying water within that area.

4. Clause 8 of the Bill provides for the purchase by the said Water Trust of the undertakings of the water companies which now supply water to the metropolis, and Clauses 12 and 13 provide for the establishment of a board of arbitration to settle the amount of compensation to be paid in respect of such undertakings, the said board of arbitration to consist of four members, to be nominated by the President or Chairman for the time being of the Local Government Board, the Institute of Bankers, the Institution of Civil Engineers, and the Surveyor's Institution respectively.

5. Clauses 30 and 31 of the Bill provide that the said Water Trust shall consist of 39 members, to be elected one for each of 39 electoral areas by in the administrative county of London, the persons entitled to vote at an election of members of the London county council, in a municipal borough the burgesses, and elsewhere the persons entitled to vote at an election of county councillors.

6. Clause 54 of the Bill would empower the London county council to carry the Act into execution by becoming the Water Trust if the said council shall so resolve between the 1st of November and the 31st of December next.

7. Your petitioners are of opinion that the supply of water to the metropolis should be taken out of the hands of the water companies and placed under the control of a public authority, and they therefore approve of the principle of the Bill.

8. Your petitioners however, are of opinion that the board of arbitration proposed by the Bill would not be satisfactory either to the water companies on the one hand or to the ratepayers and water consumers on the other. Whilst fully recognising the high qualities which the members of a board so constituted would undoubtedly possess, your petitioners submit that it would be strictly professional, and they think that it should contain representatives of the parties chiefly interested. They suggest that the board of arbitration should be constituted as follows, viz.:—

The President of the Local Government Board or his nominee.
The Governor of the Bank of England or his nominee.
One person appointed by the Conservators of the River Thames.
Three persons appointed by the water companies.
Three persons appointed by the vestries and district boards and rural sanitary authorities.

In the opinion of your petitioners such a board of arbitration would not only be thoroughly competent to discharge the important duties which would devolve upon them, but would also command the confidence of all parties.

9. Your petitioners further submit that an instruction should be given to the board of arbitration that in the event of the purchase of the water companies' undertakings the valuation be based upon the value of the property to be purchased and not upon the value of the capital stock or shares of the companies.

10. Your petitioners also object to the scheme provided in the Bill for the establishment of the proposed Water Trust. The increasing number of elections, is becoming a serious evil by throwing additional burdens upon the ratepayers and causing a great loss of time and interruption to business. In the opinion of your petitioners a special election for the establishment of a Water Trust is quite unnecessary and would not produce a satisfactory trust. Existing representative bodies would be more likely than the general body of electors to select properly qualified persons as members of such a trust, and many suitable persons would decline to become candidates owing to the great cost of a contested election in large constituencies, each being twice as large as the constituencies returning

returning members to Parliament. Your petitioners suggest that the Water Trust should consist of 30 members, constituted as follows, viz.:—

Six to be elected by the London county council.
Two to be elected by the common council of the City of London.
One to be elected by the Conservators of the River Thames.
Eleven to be elected by the vestries and district boards and rural sanitary authorities north of the Thames.
Ten to be elected by the vestries and district boards and rural sanitary authorities south of the Thames.

11. Your petitioners are of opinion that the first members of the trust should be named in the Act and remai in office for one year, and provide for the election of their successors.

12. The election of members of the Water Trust by the vestries and district boards could be carried out without difficulty in a manner similar to that provided by 18 & 19 Vict. c. 120, ss. 45, 46, and 47, relating to the election of members of the Metropolitan Board of Works for certain combined parishes and districts therein specified.

13. With regard to the provisions of Clause 54 of the Bill, enabling the London county council to become the Water Trust, your petitioners are of opinion that such council has already sufficient work on its hands in carrying out the very extensive duties with which it has so recently been entrusted by Parliament, without adding thereto the difficult and responsible functions of a water authority for such an enormous population as that of London and the surrounding districts. Moreover, the large and populous places outside the county which are supplied with water from the same sources as the metropolis may fairly claim to have a share in the management of their water supply; a matter so important to the health of the community.

Your petitioners therefore humbly pray that the Bill may be amended, by providing that the board of arbitration and the Water Trust be constituted as hereinbefore suggested, and that in the event of the purchase of the water companies' undertakings, the valuation be based upon the value of the property to be purchased, and not upon the value of the capital stock or shares of the several companies.

And your petitioners will ever pray, &c., &c.

Sealed by Order, *Henry George Hills*, Clerk to the Board. L. S.

East Hill, Wandsworth, S.W., 8 April 1891.

APPENDIX, No. 4.

PAPER handed in by Mr. *Alexander Binnie*, 9 June 1891.

(R.)

In Parliament—Session 1891.

London County Council.—London Water Supply Bills.

ADDENDUM to Part II. of Tables showing Annual Growth of Water, &c., consumed in London (within the Metropolitan Water Area).

YEAR.	Water drawn from River Lea.	Water drawn from Springs, Wells, and Ponds.	TOTAL.
	Gallons.	*Gallons.*	*Gallons.*
1887 - - -	54,551,403	9,019,524	63,570,927
1888 - - -	57,558,592	10,402,094	67,960,686
1889 - - -	58,220,754	11,693,963	69,914,717
1890 - - -	59,624,026	13,232,932	72,856,958

(Taken from the Water Examiner's Reports, 1887—1890).

Note.—May 1886 is the first month in which the above details are available.

Spring Gardens, 8 June 1891.

APPENDIX, No. 5.

PAPER handed in by Mr. *Alexander Binnie*, 9 June 1891.

(S.)

In Parliament.—Session 1891.

London County Council.—London Water Supply Bills.

THAMES and LEA.—Populations and Areas within the Basins of the Rivers Thames and Lea, above the Intakes of the Water Companies.

INDEX.

Thames Population.
Thames Area.
Lea Population.
Lea Area.
Summary of Thames and Lea, with Estimated Population for 1891.

Note.—All detached areas are taken as belonging to the Counties in which they lie.

THAMES POPULATION.

TOTAL Population within the Basin of the Thames and its Tributaries, above the Intakes of the Water Companies at Sunbury, Hampton, &c.

Census 1851 to 1881, and Estimate 1891.

COUNTIES.	1851.	1861.	1871.	1881.	Estimate 1891.
Buckingham	104,981	107,536	114,121	117,507	121,682
Surrey	67,719	78,790	92,836	109,206	123,035
Berks	170,065	176,256	196,475	218,263	234,329
Oxford	166,237	166,845	174,066	175,932	179,163
Hants	51,994	73,496	81,022	81,528	91,373
Sussex	659	601	640	692	703
Bedford	1,475	1,529	1,866	1,997	2,171
Herts	65,350	68,292	78,691	85,891	92,738
Warwick	5,097	4,832	4,898	4,489	4,286
Northampton	12,648	12,644	13,377	12,707	12,727
Gloucester	44,083	44,349	44,535	42,849	42,438
Wilts	50,565	51,391	57,750	65,927	71,048
Middlesex	21,350	23,399	27,110	30,160	33,096
Worcester	50	50	50	50	50
TOTALS	762,273	810,010	887,437	947,198	1,008,839

THAMES AREAS.

TOTAL Areas (in Acres and Square Miles) of the Counties within the Basin of the Thames and its Tributaries above the Intakes of the Water Companies at Sunbury, Hampton, &c.

COUNTIES.	Acreage.	No. of Square Miles.
Buckingham	293,127	458
Surrey	203,074	317¼
Berks	462,210	722¼
Oxford	463,188	723¾
Hants	205,768	321½
Sussex	4,336	6¾
Bedford	5,670	8¾
Herts	70,623	110¼
Warwick	26,213	41
Northampton	46,685	73
Gloucester	217,889	340¼
Wilts	233,440	364¾
Middlesex	34,910	54½
Worcester	100	¼
TOTALS	2,267,233 acres.	3,542½ sq. miles.

LEA.—Population and Area.

Population.

TOTAL Population within the Basin of the Lea and its Tributaries, above the Intake of the East London Water Company at Chingford.

Census 1851 to 1881, and Estimate 1891.

COUNTIES.	1851.	1861.	1871.	1881.	Estimate 1891.
Herts	78,895	80,006	84,440	86,443	88,959
Bedford	19,104	24,908	28,117	33,473	38,262
Middlesex	9,753	12,350	15,325	18,002	20,752
Essex	23,783	23,985	24,774	24,507	24,748
TOTALS	131,535	141,249	152,656	162,425	172,721

Areas.

COUNTIES.	Acreage.	No. of Square Miles.
Herts	213,160	333
Bedford	19,108	30
Middlesex	13,490	21
Essex	72,243	113
TOTALS	318,001 acres.	497 sq. miles.

SUMMARY of the THAMES and LEA.

Population—Estimate 1891:—

Thames	1,008,839
Lea	172,721
TOTAL	1,181,560 persons.

Areas:—

Thames	2,267,233 acres	=	3,542½ square miles.
Lea	318,001 „	=	497 „
TOTAL	2,585,234 acres	=	4,039½ square miles.

31, Spring Gardens, 20 May 1891.

APPENDIX, No. 6.

PAPER handed in by Mr. *A. R. Binnie*, 10 June 1891.

(T.)

In Parliament.—Session 1891.

LONDON COUNTY COUNCIL.—LONDON WATER SUPPLY BILLS.

ADDENDUM to Page 5 of Engineer's Report, "London Water Supply Inquiry," dated October 1890.

AVERAGE DISCHARGE in August 1885 and August 1887.

Average Daily Discharge through Teddington Weir (Thames Conservancy Guages).	Average Daily Quantity abstracted from the Thames by the Water Companies (Water Examiners' Reports).	Corrected Total Volume for Teddington.	Percentage of Corrected Total Volume abstracted by the Water Companies.
Million Gallons.	*Million Gallons.*	*Million Gallons.*	*Per Cent.*
August 1885 - - - - 210·2	97·8	308·0	31·75
August 1887 - - - - 239·9	101·1	341·0	29·65

MINIMUM DISCHARGE in August 1885 and August 1887.

August 1885 - - - -	166·0	97·8	263·8	37·0
August 1887 - - - -	153·9	101·1	255·0	39·6

Spring Gardens, June 1891.

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Belief that some 17,000,000 gallons a day are produced from the chalk in Kent, the wells being at varying depths; opinion that not much more can be derived from this source, 1384–1397——Good supply obtainable from wells in the Lea Valley, whilst a full supply is already drawn from the Lea River, 1398——Opinion that not more than 100,000,000 gallons a day should be taken from the Thames, though witness believes there is now power to go up to 130,000,000; 1401–1403. 1608–1614.

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Very small quantity now being pumped at Leatherhead, 1502–1505——Incomplete state of the Rickmansworth works, only about 400 houses being now supplied, 1506, 1507——Belief as to the sufficiency of the tests upon which witness relies for a supply of about 3,000,000 gallons a day from Rickmansworth and Leatherhead, 1508–1517——Great difficulty in the districts outside London supplying themselves from the existing mains, 1529–1535.

Explanation that witness is not now interested as shareholder in either the Leatherhead or Rickmansworth undertakings, but only as engineer, 1538–1545——Examination to the effect that witness is not aware of any negotiations or efforts for the sale of the Rickmansworth undertaking, 1550–1568——Probability that 400,000 gallons a day would satisfy the wants of the Rickmansworth population, 1569–1573——Large supply obtainable from wells sunk by Mr. Webster in the Rickmansworth district; expected co-operation between him and witness' company, 1574–1580.

Small capital outlay of the Leatherhead Company; considerable increase in the population to be supplied, 1581–1584——Admission that witness has often tried to persuade

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persuade Mr. Louttit, Manager of the Lambeth Company, to buy the Leatherhead undertaking, 1585–1587——Denial that there is any provisional agreement with the promoters of the present Bill for a purchase of the companies represented by witness, 1588–1590.

Examination in detail at variance with the view that the proposed abstraction of large supplies from the chalk in the Rickmansworth district will seriously diminish the supply in the Valley of the Colne and, consequently, in the Thames at the intakes of the companies, 1589–1717.

[Second Examination.]—Correction of some inaccuracies in witness' former evidence due chiefly to clerical errors or mistakes in printing, 1718–1734.

Explanation that witness does not represent either the Leatherhead or Rickmansworth Company before the Committee; practical termination of his paid sources with both companies, the works being now completed, 1734–1749.

Circumstance of the Rickmansworth Company having promoted a Bill in 1889 for including Sunbury, Shepperton, and other places in their limits of supply, the Bill, having however been withdrawn before a second reading, 1750–1762——Further statement as to the large percolation of water into the chalk in the Rickmansworth district, over an area of 234 square miles, so that witness calculates not only upon a surplus supply of 20,000,000 gallons a day, but submits that this can be realised without abstracting any of the water now finding its way into the Thames, 1763–1799. 1865–1883——Denial that there is any necessary connection between the rise and fall of water in wells and in rivers, 1784–1789.

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Dessent from the view that the abstraction of large supplies from the chalk in the London district is very objectionable on account of the effect in lowering the wells in London; expected discontinuance of pumping from wells if the Bill be passed, 1818–1836——Grounds for statement as to the nuisance to the river from the house boats; admission that if they are required to moor five or severn miles above the companies' intakes this objection does not apply, 1837–1856——Degree of objection further raised as regards the overflow of refuse from the land in time of flood, 1857–1864.

Examination to the effect that in stating that the whole of the water coming down the Lea in summer is abstracted by the companies, witness relies upon what he conceives was a Report of the Metropolitan Board of Works in September 1885; misconception on this point, 1884–1921——Reference to statement in the Report of the Water Examiner in 1889 as to the quantity of water taken from the Lea, 1922–1928.

Information with further reference to the extent and character of witness' experience as a water engineer, more especially as regards the Thames and Lea districts, 1928–1940——Admission that the existing metropolitan companies, if empowered by Parliament to supplement their supplies from the chalk in the outside districts, could do all that is necessary for the needs of London, 1941–1951. 2081, 2082. 2122.

Examination as to the extent of the powers of the Rickmansworth Company under their Acts in 1884 and 1885 in regard to sinking wells and getting water for the supply of the district; full power of other companies to make application to Parliament for this purpose, 1953–1988——Consideration of witness' grounds for the statement that the East London Company "cook" the water taken from the Lea; admission that the supply is good in quality when sold to the consumers, 1989–2006.

Conclusion as to the underground pipes in London being not only very old but defective; great waste due also to defective fittings, 2007–2047——Small supply per head in the Rickmansworth district as compared with London, 2016——Great trouble on the score of waste with the cottage property of the Rickmansworth and Leatherhead Companies; examination hereon as to the relative number of labourers' cottages supplied by these companies, 2024–2041——Very small requirements of the Rickmansworth district as regards water-closet supplies; extent of the demand for public purposes, 2048–2077.

Room for considerable reduction in the consumption per head in London if, by improved pipes and fittings, waste can be prevented, 2083–2087——Saving in consumption by the introduction of constant service, 2087, 2088.

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Examination in detail as to the data for the conclusion that the great bulk of the rainfall does not go into the Thames at all, but passes away elsewhere through the chalk, where a natural reservoir is formed, 2365–2398.

Evidence with further reference to the supply of Richmond, witness not advocating any larger powers in the water trust under the Bill than are already possessed by the Southwark and Vauxhall Company, 2399-2417——Examination as to the degree of difficulty in the Beckenham, Bromley, or other local authorities in Kent supplying their own districts by means of a supply in bulk from the mains of the Kent Company (or of the water trust), 2418–2437.

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[Third Examination.]—Circumstance of witness having no interest in the passing of the Bill; loss of his present employment by the Leatherhead and Rickmansworth Companies if the Bill be passed, 2562-2564——Immense benefit to London under the Bill, in view of the very large supplemental supplies, 2565.

Illustration of the slight effect upon the surface water by pumping from adjacent wells, 2566–2571. 2616——Data further submitted for the estimate that the rainfall in the Rickmansworth area represents some 234,000,000 gallons a day, whereas it is proposed to take only 20,000,000 gallons towards the supply of London, 2572-2584.

Explanations, in connection with diagram, relative to the results shown by recent pumping experiments at Rickmansworth, witness being perfectly confident that at least

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20,000,000 gallons daily may be drawn from this source in and of the supply of London; belief that much more might be taken, 2585-2616. 2652——Full power at Rickmansworth and Leatherhead to sell large supplies outside the respective districts so long as the local wants are first satisfied, 2617-2624.

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Further explanation as to the countenance given to the Rickmansworth scheme by two of the directors and the engineer of the Southwark and Vauxhall Company, but not as representing the company, 2668-2674——Understanding as to the Leatherhead works having had the approval of the engineer and secretary of the Lambeth Company; reference hereon to letter from the secretary (Mr. Louthit) recognising the value of the supply, in a supplementary sense, and wishing success to the enterprise, 2675-2677.

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Haggis, Alfred Henry. (Analysis of his Evidence.)—Witness is deputy chairman of the London county council, and is well conversant with the working of the council and its system of committees, 5512-5515——He considers that the county council and the corporation of London could manage the water supply efficiently and economically, and that no great difficulty would be experienced, 5516-5518.

Opinion that the local authorities outside London should be fully considered and consulted as to their own supplies, but that they should not be directly represented on the proposed statutory committee in their inquiries and their negotiations with the companies; examination in reply to objections to their non-representation, 5520-5522. 5574-5590. 5609-5623——Necessity of full inquiry by the proposed committee as to capital and other matters before terms of purchase are agreed upon, 5523-5528. 5531-5541. 5548-5560. 5591-5602.

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Question considered whether the Surrey county council, as having jurisdiction over nearly two-thirds of the area supplied by the Lambeth Company, and about one-third of the area of the Southwark and Vauxhall Company, should not be represented upon the Statutory Committee; dissent from this view, 5570–5590——Absence of doubt in witness' mind as to the necessity of buying the companies, further information, meanwhile, being essential, 5591–5602. 5631.

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Liverpool. Statement in the question of Liverpool being an illustration of the advantage of the municipal system of supply, *Cripps* 3878-3883——Provisions in the Liverpool Act of 1847 as to the corporation buying the works of the existing companies upon arbitration terms, *ib.* 4073-4078.

Population of about 800,000 supplied by the corporation of Liverpool, mainly within the city; extensive area of supply outside the city, *Deacon* 5658-5661. 5765-5767——Satisfactory working of the system of municipal supply at Liverpool; difficulty for some time as to the supply and the rates in the outside borough of Bootle, which has been removed by conceding to that place a representation on the water committee of the corporation, *ib.* 5662-5666. 5758-5768——Belief that the full burden of the Vyrmny expenditure now falls upon the Liverpool rates, *ib.* 5667-5670.

Objections raised by districts along the route of the Vyrmny scheme as regards the rates of supply, *Deacon* 5673-5677——Explanation that the supply from the Vyrmny has not yet been delivered in Liverpool or in the outside areas, but the works commenced in 1881 are completed and will soon be in active operation, *ib.* 5678-5682. 5833-5838.

Outline of the circumstances under which the two former companies at Liverpool were purchased by agreement or arbitration and the supply taken over by the corporation; insufficiency and inferiority of the supply, so that the Vyrmny scheme was adopted, the total cost being 2,100,000 *l.*, *Deacon* 5683-5692. 5799-5802. 5824-5829. 5839-5841——Amount of supply per head at Liverpool; supply by meter for trade purposes, *ib,* 5729-5733. 5754-5757.

Explanations respecting the water rate in Liverpool and in Bootle, and the other outside districts; increased water rent in the latter as compared with Liverpool and Bootle, *Deacon* 5735-5764. 5809-5823——Necessary increase for a time in the water rates or rents at Liverpool; good prospect of reduction as the population increases, *ib.* 5830-5832.

Local Authorities. Non-interference of the Vestries' Bill with the existing rights of local authorities as regards water supply, *Wilkins* 1301, 1302.

See also *London County Council,* 3. *Outside Areas and Local Authorities. Vestries and Local Boards.*

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London County Council:

1. *Provisional Arrangement under the Vestries' Bill as to the County Council taking over the Water Supply.*
2. *Opposition of the Council to the Vestries' Bill.*
3. *Summary of the Action and Views of the Council with reference to the Water Question.*
4. *Limited Powers of the Council in dealing with the Question; Enlarged Powers recommended.*
5. *Proposed Appointment of a Statutory Committee or Water Authority; Representation to be given to the Corporation of London.*
6. *Conclusions and Recommendations of the Committee.*

1. *Provisional Arrangement under the Vestries' Bill as to the County Council taking over the Water Supply:*

Provision in the Vestries' Bill as to the London county council, to be elected in November 1891, having the option of taking over the companies' supply, it not being proposed to elect the members of the Water Trust till February 1892, *Wilkins* 195. 224——Option given to the council to take the place of the Water Trust, as this would obviate postponement of the matter for another year, *ib.* 224——Explanation that the promoters leave it entirely with the Committee to decide whether power is to be given to the London county council to carry the Act into execution, *ib.* 233-239.

Alternative in the Bill, in accordance with the resolution adopted in the first instance by the vestries, as to the London county council "or some other properly representative body" being empowered to acquire the undertakings of the companies or to introduce an independent supply, *Wilkins* 354-362.

Examination with further reference to the question of the county council coming in under the Bill, instead of a separate Water Trust representing the whole area of supply; conclusion in favour of the latter alternative, *Wilkins* 403-435. 458-467——Very full communication between witness and the county council previously to the introduction of the present Bill, *ib.* 417-419. 1270-1279.

2. *Opposition*

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2. *Opposition of the Council to the Vestries' Bill :*

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3. *Summary of the Action and Views of the Council with reference to the Water Question :*

Summary of the action of the county council during the last two years with reference to the water question, *Sir T. H. Farrer* 2953 *et seq.*——Report of the water committee of the council, as adopted in September 1890, recommending that negotiations be opened; entire absence of any hostility to the companies in the matter, *ib.* 2957–2960.

Reference to report of the water committee recommending that as the council cannot promote any Bill relating to the water supply, steps should be taken to submit the views of the council before any Committee of Parliament appointed to consider the question; adoption of that recommendation by the council, *Sir T. H. Farrer* 2969.

Copies promised to be supplied, as promptly as practicable, of reports of the water committee and other documents; reference especially to memorandum by witness prepared in November 1890, and revised and circulated amongst the council on 5th December, submitting suggestions on various points, *Sir T. H. Farrer* 2970–2982. 3081*——Eventual appointment of a special committee of the council for dealing with the Water Bills before Parliament; public Bill subsequently introduced, though it has not yet been referred to the present Committee, *ib.* 2986, 2987.

Report of the Parliamentary committee of the county council first placed before the council on 17th February 1891, and eventually discussed on the 10th and 13th March; adoption after full discussion of the several recommendations made by the committee, *Sir T. H. Farrer* 3160–3179——Steps being taken by the council to obtain information on which to base a complete scheme of supply, which they hope to produce in course of time, *ib.* 3350–3352.

Statement with further reference to the replies received from the several companies on the question of negotiation with the council, witness admitting, on the other hand, that no notice was taken of the letters from the companies saying that they were ready to consider any definite proposals that might be made to them, *Sir T. H. Farrer* 3353–3362. 3443–3449.

Responsibility of witness for the professional conduct of the Parliamentary business of the council; part taken by him in advising the council as to the several Bills before the present Committee, *Cripps* 3768–3772. 3776——Due consideration given by the council to the question whether the supply of London should be in the hands of the municipality or should be vested in a trust or commission, *ib.* 3777.

Evidence to the effect that the council have not had anything like time enough to formulate a complete scheme of water supply for the metropolis and the outside districts; necessity of exceedingly careful investigation on several important and difficult points, *Cripps* 3798–3819. 3842–3853·—Willingness of the council to undertake the duty of water supply if it be generally thought to be desirable, *ib.* 4011——Absence of any neglect in making inquiry, though the council have not yet had nearly sufficient time for making the required investigation, *ib.* 4207, 4208.

Admission that there has been a change in the views of the council since they first took up the question; very full investigation still required, *Sir T. H. Farrer* 4265, 4266. 4270.

Letters submitted from the vestries of St. George, Hanover-square, Rotherhithe, and St. Mary, Battersea, in approval of the action being taken by the London county council; population of each of these parishes, *Cripps* 5842–5845.

Concurrence generally in the evidence of Sir Thomas Farrer on the part of the county council, *Harrison* 5296–5299. 5303. 5486.

4. *Limited Powers of the Council in dealing with the Question; enlarged Powers recommended :*

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Power obtained in the Session of 1890 to spend 5,000 *l.* out of the rates in prosecuting inquiries and in conducting negotiations with the companies, such negotiations having been opened in October 1890, *Sir T. H. Farrer* 2954, 2955——Desire of the council to be put in a position to negotiate with the companies, any arrangement

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4. *Limited Powers of the Council dealing with the Question, &c.*—continued.

to be subject to Parliament, *Sir T. H. Farrer* 3146, 3147. 3151, 3152——Power doubtless of a newly elected council either to go on with or to drop any Bill promoted by the existing body, *ib.* 3153-3155.

Necessity of legislation in order to empower the council to promote Bills in Parliament and to charge the cost upon the rates, *Sir T. H. Farrer* 3367-3381——Unimportance whether the required provisions be adopted in the Bill of the council or be inserted in any of the Bills before the Committee as amendments thereto, *ib.* 3689. 3727-3735.

Very inadequate powers of the council as to making investigations and promoting Water Supply Bills; suggestion hereon, *Cripps* 3803-3806. 3809——Concurrence generally in the view that the council have not yet had time to thoroughly investigate the question, though he contends it is not premature to empower the council to promote a Bill enabling them to negotiate with and to purchase all or some of the companies after careful investigation, *ib.* 3925-3963.

Several duties analogous to the supply of water, which now devolve upon the London county council, *Binnie* 4426——Several grounds for the conclusion that the county council in combination with the Corporation would be a peculiarly fit body to be entrusted with the control of the water supply, *ib.* 4433-4440.

Necessity of the proposed water authority having the fullest liberty as to their course of action, there being good prospect that if the required powers be given they will be able to introduce a Water Supply Bill not later than the Session of 1893, *Binnie* 4439-4449. 4481——Facility to the introduction of a Bill by giving certain powers to the county council and the Corporation without first establishing a new and special body for the purpose, *ib.* 4451-4453.

Expediency of very full powers in the proposed statutory committee as to the promotion of the proposed Bill, and the arrangements with the outside authorities, *Harrison* 5392-5394——Very limited powers at present of the county council as to expenditure out of the rates in making inquiries and promoting Bills, *ib.* 5489-5492. 5502-5505.

5. *Proposed Appointment of a Statutory Committee or Water Authority; Representation to be given to the Corporation of London:*

Recommended appointment of a water committee, seven-eighths of the members to be appointed by the county council and one-eighth by the Corporation, *Sir T. H. Farrer* 2996. 3033. 3736-3747——Explanation respecting the election of the proposed statutory committee or water authority of the county council, *ib.* 4323-4328.

Approval of the control of the water supply of London being in the hands of the county council and the City Corporation, without any representation of outside areas, *Hill* 5079-5084.

Intention that the statutory committee should not only make the necessary inquiries, but should be the body for managing the supply, *Haggis* 5607, 5608.

6. *Conclusions and Recommendations of the Committee:*

Conclusion of the Committee that it is most desirable that the whole question of the metropolitan water supply should be carefully and deliberately examined by the London county council, in the interests of the consumers, *Rep.* iii——Necessarily incomplete state of the inquiries in respect of which the council were in the Session of 1890 authorised to incur certain limited expenditure, *ib.*

Recommendation that powers should be granted to the council to expend such further sums as may be reasonably necessary, in order that they may thoroughly examine for themselves, as the responsible municipal authority for London, the whole position of the metropolitan water supply, and come to a conclusion as to the policy which, for financial and other reasons, it is desirable to adopt, *Rep.* iii.

Recommendation that, if the council should so resolve, they should have power to promote a Bill or Bills in Parliament for the purpose of constituting themselves the responsible water authority for London, acting through a statutory committee, appointed either wholly by themselves or partly in conjunction with the Corporation of the City of London, *Rep.* iii.

Recommendation that the statutory committee should comprise a certain number of members possessing special knowledge and qualifications, not necessarily members of the body or bodies appointing, *Rep.* iii.

Recommendation that the London county council, if constituted the water authority, be

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6. *Conclusions and Recommendations of the Committee*—continued.

be required to purchase the undertakings of the eight companies by agreement or by arbitration, *Rep.* iii, iv.

See also *Borough Funds Act. Competition. Compulsory Purchase. Corporation of London. Inquiry. Middlesex County Council. Outside Areas and Local Authorities. Purchase (Water Companies). Streets (Metropolis). Supply and Consumption.*

London and South Western Spring Water Bill. Circumstance of Parliament having thrown out the London and South Western Spring Water Bill, promoted some years since for a competing supply; decided approval of its rejection, *Grover* 2347-2352.

London Water Commission Bill. List of petitions against the Bill, *Rep.* v-viii.

Opinion of the Committee that no Bill can be satisfactory which merely constitutes a public authority to promote Bills in Parliament; the preamble of the Bill not passed, *Rep.* xiv. xxi.

Lubbock, Sir John, M.P. Dissent from the views of so excellent an authority as Sir John Lubbock as to the more economical management by private enterprise than by private companies, *Sir T. H. Farrer* 3298-3301.

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Management and Administration:

Economy in administration by the Leatherhead and Rickmansworth companies being under the proposed Water Trust instead of being transferred to two of the London companies, *Grover* 2653-2655——Necessity of administration under a single authority before allotting any portions of the supply to the local authorities, *ib.* 2700-2703——Great care and considerable time required before the separate administration of the several metropolitan companies can be dispensed with, *ib.* 2708-2710.

Conclusion that the question of the water supply being in the hands of one central municipal authority is already settled in the affirmative, *Sir T. H. Farrer* 2949——Recognition of the fact that London is now well supplied, witness explaining that he makes no charge against the companies, and that the quality of the supply is satisfactory, *ib.* 3117. 3213-3229.

Consideration of, and conditional assent to, the proposition that under certain assumptions, and in regard to security for efficient and economical management the supply might with advantage remain with the companies instead of being transferred to a public authority, *Sir T. H. Farrer* 3259 *et seq.*——Impression on the whole that the supply would be more economically managed by a central body than by a number of separate companies with separate boards of directors, *ib.* 3291-3297.

Expected reduction of administrative expenses by a transfer of the undertakings of the London companies to a central authority or water trust, *Cripps* 4067-4072——Principle already laid down that there should be one central authority, rather than an amalgamation of the companies, *Binnie* 5016-5019——Belief that the water supply of London can be dealt with more economically by a central authority, and that the companies should have been taken over twenty-five years ago, *Hill* 5099-5101. 5104-5151. 5172-5175.

Opinion that the county council and the Corporation of London could manage the water supply efficiently and economically, and that no great difficulty would be experienced, *Haggis* 5516-5518——Inference from the experience of Liverpool that no difficulty would arise in the supply of London by a central municipal authority, *Deacon* 5671, 5672.

Apparently foregone conclusion that the water companies are to be bought up by a public authority, though witness is by no means sure that London is not very well off under the present system, and considers it an open question whether it would not be better to let the supply remain in the hands of the companies, *Littler* 5924, 5925. 5944. 5962. 5991——Explanation that on the whole witness favours the idea of leaving the companies alone, *ib.* 5941. 5962. 5991.

Statement on the part of the Committee that the water companies will not be prejudiced by evidence not being submitted on their behalf as to their having done their duty to the public in the past, and being able and willing to do it in the future, *p.* 375.

Expediency of Parliamentary inquiry as to the statutory rights and obligations of the companies, and the question of more complete control over them, in the event of the undertakings not being acquired by purchase, *Rep.* iv.

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Manchester. Illustration in the case of Manchester of the satisfactory working of the system of municipal supply, though there are numerous outside authorities dealt with, *Cripps* 3779-3782.

Witness is now acting as engineer for the Corporation of Manchester in carrying out the scheme of supply from Thirlmere Lake in Cumberland, *Hill* 5066-5070. 5152-5155. ——System of supply by the Manchester Corporation to a considerable number of outside districts without any difficulty or friction with the local authorities, though several complications had to be overcome in the first instance on the line of route, *ib.* 5071-5078. 5082-5096. 5155-5171. 5178-5180. 5201-5210.

Considerable inquiry before the Thirlmere scheme for the supply of Manchester was authorised by Parliament, *Hill* 5223, 5224. 5230, 5231. 5248 —— Explanation as to fifteen years having been occupied before the completion of the Thirlmere scheme, the cost being about three and a-half millions, *ib.* 5252-5256. 5259.

Market Value (*Water Companies.*) Reference to paper showing that the market value of the eight London companies is about 33,500,000 *l.*; *Wilkins* 1348, 1349——Aggregate of about 33,595,000 *l.* as the market value of the eight London companies, together with the paid-up capital of the Leatherhead and Rickmansworth companies, *ib.* 1349-1353 ——Total of 33,444,506 *l.* as the market value of the whole of the companies in March 1860; *ib.* 2808.

Statistics showing the great increase of capital and the still greater increase of market value since 1871; average increase of about a million a year under the latter head, *Wilkins* 2809-2825——Examination to the effect that many railways, banks, and other enterprises, as well as the London water companies, have doubtless increased very largely in market value in the last twenty years, *ib.* 2826-2856——Serious diminution in the value of money in the last twenty years concurrently with the increased value of the companies' stock, *ib.* 2896-2899 —— Larger relative increase of value on the ordinary capital than on the preference capital, *ib.* 2913-2915.

Conclusion that the arbitrators will duly take into consideration the increase in the market value of the capital of the companies, *Wilkins* 2639, 2640.

Increasing market value of the existing undertakings out of proportion to the amount of new capital issued, *Sir T. H. Farrer* 4230-4236.

See also *Arbitration.* *Purchase, &c.* *Water Stock.*

Meter Supplies (*Supply in Bulk*). See *Outside Areas, &c.*, 3.

Metropolis Water Supply Bill. See *Vestries, &c.*

Metropolitan Board of Works. Important distinction between the mode of election of the Metropolitan Board of Works and the London county council, *Cripps* 4048-4056.

Metropolitan Water Companies' Charges Bill. List of petitions against the Bill, *Rep.* xii, xiii.

Decision of the promoters not to proceed with the Bill, *Rep.* xxii.

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Important interests of the area represented by the Middlesex county council; circumstance of this body not having been consulted about the Vestries' Bill, though they received copies of the vestries' resolutions, *Wilkins* 468-480 —— Consideration of the extent to which it is proposed to take water from districts in the area represented by the Middlesex county council, including the Rickmansworth surplus supply, whilst the council was not directly consulted about the Bill, *ib.* 538-575 ——Explanation as to the representation of the Middlesex county council on the proposed water trust relative to that of the London county council, *ib.* 579-591.

Statement in illustration of the engineering obstacles to the supply of water in bulk from the existing mains to the Middlesex county council for local distribution outside the metropolitan area, *Grover* 2234-2255. 2267-2272——Impracticabilty of cutting off a portion of the metropolitan undertaking for the separate use of the district under the Middlesex county council, *ib.* 2679.

Explanation as regards the Middlesex county council that they have not given any formal support to the proposals of the London county council, *Sir T. H. Farrer* 3477-3483.

As chairman of the Middlesex county council and of the Wood Green Local Board, and as resident at Palmer's Green for many years, witness is well conversant with the wants of the district in respect of water; he represents also the views of the Middlesex local authorities generally on the question at issue, *Littler* 5892-5905.

Statement showing that the intakes and sources of supply of several of the London water companies are within Middlesex, and that a large portion of the county area is within the existing area of supply of the company; independent supply also by some local boards and water companies, *Littler* 5902-5905. 5921——Rapidly increasing population in the area of the county outside the metropolis, about half the whole county not

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not being within the area of supply of the water companies, *Littler* 5906, 5907. 5936–5943.

Consideration given by the council to the several alternative modes of supply in the county outside the metropolitan area, whether by severance from the London supply, by supply in bulk by the London authority, or by supply in detail, *Littler* 5909–5911 View of witness that (if it be decided to purchase the companies) his council should have the local supply entirely in its own hands, and should be perfectly independent of the London county council, *ib.* 5910 *et seq.*

Facility with which the difficulties of the asylums question, as between the Middlesex and London county councils, were settled by personal communication between witness and Lord Rosebery, after previous inquiry by a committee on each side; illustration therein of the prospect of settlement of the water question by independent negotiation, after previous inquiry, *Littler* 5914–5918. 5921, 5922. 6002–6004. 6012–6015.

Expediency of independent committees of each council, with equal powers, rather than of a joint committee of inquiry; stipulation that the Middlesex council should have a right to attend every inquiry and to have a voice in the purchase, *Littler* 5918, 5919. 5929–5934. 5945–5949. 5961. 5971–5975. 6011 —— Full consideration to be given to the wishes of the local boards in the area of the Middlesex county council as to the management of their own supplies, *ib.* 5935. 5945.

Address of counsel on behalf of the Middlesex county council, *p.* 374.

See also *Inquiry.* *Outside Areas and Local Authorities.* *Rickmansworth Water Company.*

Monopoly of Supply. Proposed monopoly of supply by the water trust, but without prejudice to the rights of sanitary authorities or other existing rights, *Wilkins* 56–60.

Question of monopoly in the London companies adverted to in connection with the absence of any powers of supply in the Metropolitan Board of Works or the county council, *Binnie* 4710–4712.

See also *Competition.*

Municipal Control. See *London County Council.* *Management and Administration.* *Provincial Water Supplies.*

Municipal Taxation. Contention that there should be, and probably soon will be, a solution of the question of the incidence of municipal taxation, as between occupiers, leaseholders, and reversioners, before the purchase of the water supply by the central authority, *Harrison* 5410–5440. 5477–5485.

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New River Company. Facility, in connection with purchase, of arranging for the exclusion of the landed property of the New River Company, whilst power would also be taken for selling superfluous lands, *Wilkins* 394, 395 —— Due consideration given to the fact that the shares of the New River Company are real estate; facility of the shareholders as to investing in the form of water stock or of cash, *ib.* 674–687.

Statement as to the means under the Bill of reaching the shareholders or reversioners in the company, the bulk of the property being real estate, and there being no register of shareholders, *Wilkins* 991–1002. 1237, 1238 —— Explanation with further reference to the proposal for dealing with the New River proprietors of real estate in the same way as with the shareholders in the other companies, *ib.* 1304–1307.

Large proportion of the total increased value of the companies since 1883, which is due to the New River Company; probable increase of about 2,000,000 *l.* in the case of this company, a considerable proportion of which is due to the increasing value of reversions which have nothing to do with the water rental, *Wilkins* 2865–2895. 2935–2938.

Inexpediency of its being compulsory to buy the whole of the New River and East London companies, *Cripps* 3846, 3847 —— Illustration in the case of the New River Company of the necessity of full inquiry, as in all probability its landed or real estate need not be purchased, *Harrison* 5325. 5453–5456.

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New Supply. See *Competition.* *Supply and Consumption.*

O.

OUTSIDE AREAS AND LOCAL AUTHORITIES:

1. *Views of the Authorities outside the Area of the London County Council.*
2. *Question of the Outside Areas being represented not only upon the Central Water Authority, but at the Preliminary Inquiries and Negociations before Purchase.*
3. *Modes of Supply of the Outside Areas; Conflicting Evidence on the Subject.*
4. *Conclusions and Recommendations of the Committee.*

1. *Views of the Authorities outside the Area of the London County Council:*

Numerous districts outside the metropolis which have petitioned against the supply being transferred to the county council, *Wilkins* 426, 427.

Steps taken by the county council for ascertaining the views of the outside authorities, including the Middlesex and Bedforshire county councils and various local and district boards; belief that the principles of the scheme advocated by witness would, on the whole, be acceptable to the outside areas, *Sir T. H. Farrer* 3041-3056.

Statement with further reference to the views of some of the local authorities outside the metropolitan area, and the points upon which they differed from the county council as regards the constitution of the new water authority, and the question of independent distribution and control in the outside areas, *Sir T. H. Farrer* 3587-3609——Informal character of the negociations between the council and the representatives of the outside areas; small proportion of the whole number who have declared themselves, *ib.* 3662-3673——Conclusion as to the outside authorities being generally unfavourable to the Vestries' Bill, *ib.* 3674-3684.

Informal communication of witness with some of the outside local authorities; conclusion that these bodies generally are adverse to the Vestries' Bill, and that if time be allowed the county council will come to a satisfactory arrangement with them, *Cripps* 3809-3816——Belief that the sanitary authorities outside London are desirous to have charge of their own supplies, which the county council would willingly assist in this step, *ib.* 4012-4018.

Explanations in further reference to the consultation by witness of the authorities outside London and the replies received; general opinion expressed in favour of the supply being in the hands of the municipal authority, *Cripps* 4137-4192. 4212-4214——Prevalent feeling among the local authorities both within and without the metropolis in favour of the supply to the areas outside London being transferred to the local authority in each case, *ib.* 4188-4192.

2. *Question of the Outside Areas being represented not only upon the Central Water Authority, but at the Preliminary Inquires and Negociations before Purchase:*

Explanations respecting the area of supply and the population, there being a large area outside the County of London which should be represented on the Water Trust, *Wilkins* 35-48. 56, 57.

Question considered as to the liability of ratepayers in the Leatherhead and Rickmansworth districts, and as to the fairness of the proposal in the Vestries' Bill on this point, *Hemmerde* 2758-2771. 2799, 2800. 2803-2807.

Opinion that there is no good reason for outside local authorities, who may eventually purchase their own supplies, being represented on the body who purchase from the companies, *Sir T. H. Farrer* 4333-4342.

Decided objection to the body proposed by the vestries including the representation of outside areas: it is much better that these should manage their own supplies, *Binnie* 4531-4538——Grounds for objecting to West Ham and other outside areas being represented at the inquiries and negociations before purchase, though they would be fully consulted in connection with their own supply, *ib.* 4823-4828. 4836-4841.

Expediency of the local authorities in the outside areas (such as the authorities of Middlesex and West Ham) being fully consulted and considered as to their own supplies, though witness is adverse to their having direct representation on the Statutory Committee or central water authority, or at the prelimary inquiry, *Harrison* 5299-5303. 5369-5403. 5461——Full facilities to be given to the outside authorities to be heard at the inquiry, though inexpedient to give them representation on the Statutory Committee, *ib.* 5449-5452. 5461-5464.

Opinion that the local authorities outside London should be fully considered and consulted as to their own supplies, but that they should not be directly represented on the proposed Statutory Committee in their inquiries and their negociations with the companies; examination in reply to objections to their non-representation, *Haggis* 5520-5522.

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2. *Question of the Outside Areas being represented, &c.*—continued.

5520–5522. 5574–5590. 5609–5623 ——Conclusion that with the proposed consultation of the outside authorities no injustice can arise to them through not being represented on the Statutory Committee, *Haggis* 5632–5638.

Different circumstances of London and Liverpool, there not being the same reasons for the representation of the outside areas in the former case upon the central water authority which apply in the case of Liverpool and Bootle, though one or two places such as West Ham might be represented, *Deacon* 5782–5796. 5803, 5804. 5823.

Evidence in support of the contention that the Middlesex county council should be fully consulted, should have a right to attend every inquiry, and should have a voice in the purchase, *Littler* 5918, 5919. 5929 *et seq.*

3. *Modes of Supply of the Outside Areas; Conflicting Evidence on the Subject:*

Grounds for objecting to local authorities in Middlesex being empowered to take water in bulk form the distributing mains, on arbitration terms: belief as to this being impracticable, *Wilkins* 557–578——Examination in support of the construction that it would probably interfere very seriously with the distribution of water by the trust if certain local authorities outside the metropolis, as in the district of the Kent Water Company, were allowed to purchase the distributing mains within such district for their own supply, *ib.* 598–629. 1254–1256.

Great difficulty in the districts outside London supplying themselves from the existing mains, *Grover* 1529–1535——Immense complications and difficulty not only as regards meters but as regards rates in carrying out a system of separate supply to the various outside local authorities, *ib.* 2686–2699.

Contemplated arrangements whereby the local authorities in areas outside the metropolis should have the management of their own supplies, the county council having no wish to exercise jurisdiction in the outside areas, *Sir T. H. Farrer* 2998–3002. 3054 ——Powers proposed to be given to local bodies outside the metropolitan area, not only as regards distribution, but the utilisation of local sources of supply, *ib.* 3348, 3349.

Further approval of the outside supplies generally being in the hands of the local authorities, and of the latter being fully consulted to the scheme of supply, *Sir T. H. Farrer* 3486–3495——Explanation that the council would be prepared to supply the outside districts on rates to be agreed upon, or to make arrangements for handing over the outside supplies to the local authorities, *ib.* 3754–3767.

Statement in reply to alleged difficulties in connection with the supply to outside areas; comment upon the Vestries' Bill in this respect, *Sir T. H. Farrer* 4269–4283. 4920–4924.

Very careful consideration necessary in respect of suburban water companies and suburban sources of supply before the council can mature a complete scheme, *Cripps* 3807, 3808.

Statement purporting to show that no serious difficulties need be apprehended as regards the supply of outside districts, *Binnie* 4454–4471——Considerable difficulties overcome as regards separate supplies to the areas outside Bradford by means of supplies in bulk, witness further submitting that the areas outside the metropolis can readily be dealt with on the same system, if the central authority be constituted as proposed by the county council, *ib.* 4527–4538. 5024–5029.

Concurrence in the views of Sir T. Farrer and Mr. Cripps in favour of arrangements with the Middlesex county council, and the West Ham and other outside authorities, whereby they should take charge of their own water supply; careful inquiry and negotiation necessary in each case, *Binnie* 4813–4822. 4962–4964 —— Recognition of a fresh claim in outside authorities where the source of supply is in their own area, *ib.* 4829–4835.

Much lower rate than 9*d.* per 1,000 gallons for which the areas outside the metropolis could be supplied; data for this conclusion, *Binnie* 4920–4930 —— Probable way in which the districts in Essex and Hertfordshire would be dealt with as regards the local supplies from springs, *ib.* 4934–4936.

Conclusion that the areas outside London can, as well as at Manchester, be supplied without any serious difficulty, *Hill* 5085–5098. 5183–5185.

Suggestion that as regards outside supplies the companies might be approached directly by the local authorities, and by the Statutory Committee as well, *Harrison* 5396, 5397.

Outside Areas and Local Authorities—continued.

4. *Conclusions and Recommendations of the Committee:*

Recommendation by the Committee as to the public water authority taking over the duties and obligations of the companies in the districts outside the boundaries of the county of London, *Rep.* iv.

Recommendation with a view to the outside authorities negotiating for the purchase of so much of the works of distribution as is appropriated to the outside district, and for the right to a supply in bulk from the new central authority, *Rep.* iv.

Suggestion as to the outside authorities obtaining in some cases some of the local sources of supply, which might be severed from the general scheme, *Rep.* iv.

The Committee do not see their way to recommending any practicable method for associating with the proposed inquiry the authorities of the areas where the sources of supply are situated, *Rep.* iv.

Expediency of the inquiry being conducted with due regard to the legitimate wants and necessities of the inhabitants of the areas containing the sources of supply *Rep.* iv.

See also *Area of Representation and Supply. Croydon. Hertfordshire. Kent Water Company. Middlesex County Council. Richmond. West Ham. Wimbledon.*

Overcharges. Inability of witness to go into the question of overcharges by the companies, though there appears to be some ground of complaints, on the part of the City and the wealthier classes, *Sir T. H. Farrer*, 3390-3403——Item of "overcharge" in the accounts of some of the companies, deductions being subsequently made, *Cripps* 3852.

P.

Parliamentary Sanction. Conclusion that it must remain with Parliament ultimately to decide upon the merits of any scheme that may be submitted, *Rep.* iv.

See also *Arbitration. Purchase, &c. Supply and Consumption.*

Petitions. List of petitions against the several Bills referred to the Committee, *Rep.* v-xiii.

Pipes and Fittings. Conclusion as to the underground pipes in London being not only very old but defective; great waste due also to defective fittings, *Grover* 2007–2047—— Reference to the condition of the companies' pipes as a matter to be taken into consideration by the arbitrator, *ib.* 2650, 2651.

Considerable difficulty upon the question whether the existing machinery for distribution is in an efficient condition, *Sir T. H. Farrer*, 3105, 3106.

Population (Area of Supply). Population of more than five-and-a-half millions, occupying more than 750,000 houses, supplied by the eight London water companies, from the Thames, the Lea, and from springs and wells, *Grover* 1372–1382——Estimate that in 1901 the population to be supplied will be approaching 7,000,000, and that an additional 45,000,000 gallons a day will be required, *ib.* 1408–1412.

Reference to the rapidly increasing populating of the metropolis in connection with the available or maximum supply from the Thames, as showing that the present sources will in all probability prove inadequate before very many years, *Sir T. H. Farrer* 3109–3116. 3130-3142.

Information as to the population at different decennial periods in the different counties in the Thames and Lea Valleys; reference also to the populations, in excess of 1,000, in the several towns, *Binnie* 4422–4425——Very large increase of population using the Thames water, whilst the flow of the river is much diminished, owing to the increased abstraction by the companies, *ib.* 4488–4495.

Statistics respecting the total population in 1851, 1861, 1871, and 1881, within the basis of the Thames and its tributaries, above the intakes of the water companies at Sunbury, Hampton, &c., *App.* 400——Similar statistics as regards the Lea and its tributaries, *ib.*——Estimate for 1891; *ib.*

Preference Shares (Water Companies). Grounds for the opinion that under the Vestries' Bill the existing priority is preserved for the preferential shareholders and the debenture holders, *Wilkins* 139. 1003-1026. 1231-1234.

Premiums on Capital. Statement as to the amount of capital received on premium under the auction clauses, by the different companies, *Wilkins* 2901–2912——Necessity of including the receipts from premiums on the issue of new share capital in order to arrive at the total profits of the companies, *Sir T. H. Farrer*, 4407.

Promotion of Bills (Water Supply, &c.) See *London Council County*, 4.

Property

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Property in Water. Statement as to the law recognising no property in underground water, *Grover* 2637–2639.

Provincial Water Supplies. Important distinction between London and several of the large provincial municipalities which have introduced distant supplies; that is, in regard to the rating and supply of places along the route, *Wilkins* 420–425——Explanations in connection with tabular statements containing information supplied by sixteen borough engineers relative to the municipal supply in each case, the total capital, outlay, annual expenditure, rate of charge, &c., *ib.* 1334–1348.

Conclusion that any great undertaking for obtaining a supply from distant towns must be in the hands of the municipal authority, as at Liverpool, Manchester, and other towns, *Sir T. H. Farrer* 3143–3145.

Information obtained from several provincial corporations as to the area of supply outside the municipal limits in each case, the municipal area, the relative population in the outside area and the municipal area, &c.; similar difficulties overcome in each of these towns as are apprehended in the case of London, *Cripps* 3777–3789 —— Supply in some instances to outside districts in bulk by meter, whilst in other cases the corporations supply the consumers directly, *ib.* 3782. 3785. 3792.

Illustrations at Edinburgh and Belfast of the unsatisfactory working of a water trust and a water commission, respectively, witness submitting that management by the municipal corporation of each town is far the preferable system, *Cripps* 3791–3797.

Examination as to the conditions under which provincial corporations have been entrusted by the Legislature with the water supply, witness admitting that there is no instance of Parliament having sanctioned a supply by a municipal authority in competition with an existing supply by a company, *Cripps* 3892-3910. 3964, 3965.

Doubt whether any reduction of water rates has resulted from the operation of a water trust or commission at Edinburgh, Dundee, Belfast, and other places, *Cripps* 4057-4066——Denial that any municipal corporation has been compelled to purchase existing works against its will, *ib.* 4197, 4198——Reiteration of statement as to the London county council not having at present a clear right to be put in the same position as other municipalities, *ib.* 4203-4207.

Doubt as to any instances of corporations making a profit out of the water supply, *Binnie* 4910–4915.

Decision of counsel for the provincial water companies, after statement by the Committee, not to address the Committee on their behalf, p. 375.

See also *Birmingham. Bradford. Competition. Glasgow. Liverpool. Manchester. Stockton and Middlesborough.*

Public Water Authority. Explanation by the Committee that they have proceeded upon the assumption that in the opinion of Parliament it is desirable to establish a single public representative water authority for the metropolis, *Rep.* iii —— Reference to the Report of the Duke of Richmond's Commission in 1869, and to the Report of the Select Committee of 1880, as having recommended that the water supply should be placed under the control of a public body, *ib.*

See also *London County Council. Water Trust.*

PURCHASE (WATER COMPANIES):

1. *Explanations and Suggestions on the part of the Promoters of the Vestries' Bill.*
2. *Explanations and Suggestions on the part of the London County Council.*
3. *General concurrence in the View that the Companies should be purchased.*
4. *Effect of Purchase as regards the Debt of London.*
5. *Views of Mr. Littler as to the lines on which Purchase, if decided upon, should proceed; Preference on his part for the present System of Supply.*
6. *Unanimous desire of the Companies to retain their Property in their own hands.*
7. *Conclusions of the Committee.*

1. *Explanations and Suggestions on the part of the Promoters of the Vestries' Bill:*

Evidence as to the expediency of taking over the Leatherhead and Rickmansworth undertakings, though not actually necessary, whilst it is absolutely essential to acquire the eight metropolitan companies, *Wilkins* 49–55. 254–288. 1248–1253——Powers proposed to be taken for compulsory purchase, notice of purchase to be given within two years, *ib.* 72–76.

Exhaustive interpretation of the word "undertaking," as applied to the property to be acquired from each company, *Wilkins* 102 —— Several objects of the proposal that the board of arbitration shall estimate the compensation with regard to the value of the undertakings prior to the introduction of the Vestries' Bill, *ib.* 103-125.

PURCHASE (WATER COMPANIES)—continued.

1. *Explanations and Suggestions on the part of the Promoters of the Vestries' Bill*—continued.

Difficulty through the London county council objecting to the transfer of the companies' undertakings, whereas this is the vital principle of the Vestries' Bill, *Wilkins* 222, 223——Examination to the effect that the Water Trust would be bound to give notice to the several companies within two years and to go on with the purchase on receiving the companies' claims, *ib.* 381–393——Stipulation that the companies must be purchased before the introduction of an alternative supply, *ib.* 396, 397.

Approval not only of existing values but of the "immediate future" being taken into consideration by the arbitrators, *Wilkins* 1308–1311.

Probable difficulty if the shareholders as a body elected to take payment in money instead of in water stock: facility on this score by dealing separately with each undertaking, *Hemmerde* 2772–2779. 2797, 2798.

2. *Explanations and Suggestions on the part of the London County Council:*

Contemplated arrangements with the companies for purchasing from them such parts of their works as are valuable, Sir *T. H. Farrer* 3147——Explanation that in proposing to purchase from the companies "such parts of their works as are valuable" it is really intended to buy them at their proper value and to buy them separately, though in course of time they would probably all be purchased, *ib.* 3302–3323——Fair value to be given for the existing undertakings, *ib.* 3460. 3470.

Doubt as to the course which may be adopted upon the question of buying parts only of the several undertakings; great probability of complete purchase in each case, Sir *T. H. Farrer* 3750. 3751. 3756. 3758——Admission that most probably the companies will be bought up, though witness submits that precedents must not necessarily be followed in this respect, *ib.* 4343–4348——Exception taken to the Vestries' Bill as putting purchase before new supply, whereas witness submits that the latter must be gone into before the former is effected, *ib.* 4389–4392. 4403.

Careful consideration necessary as to the very different positions of the several Metropolitan water companies; special or peculiar circumstances of the Kent, Lambeth, and other companies which require to be separately dealt with in the event of purchase, *Cripps* 3839–3842. 3980——Proposition that the county council be first empowered to buy all or any of the companies, full investigation being necessary on their part before any purchase is made, *ib.* 3871–3877.

Several important points to be considered in arriving at the fair value of each company's undertaking: good prospect of satisfactory arrangements being made without any unfairness to the companies, *Binnie* 4472–4476——Full recognition of the necessity of the companies being taken over at some time, *ib.* 4516. 4564. 4568. 4581.

Examination upon the question whether powers to purchase and to go to arbitration should not suffice for all purposes; dissent from this view, it being essential in the first instance to make full inquiry, *Binnie* 4583–4593——Grounds for the conclusion that it should not be compulsory to acquire all the companies simultaneously, though notice to purchase without any definite limit of time might be served upon them all, *ib.* 4594–4620. 4965–4974.

Strong opinion that nothing should be given to a company for prospective value, and that water as a necessity of public health should not continue to be made a matter of speculation and money value, *Binnie* 4697–4709.

Concurrence in the view that under a system of arbitration (if adopted) the companies must be dealt with consecutively, instead of simultaneously, due time being allowed after notice of purchase is given, *Binnie* 4965–4974——Expediency of amicable negotiations with the companies rather than of compulsory arbitration, *ib.* 4983–4989.

Widely varying circumstances of the different companies, witness contending that the case of each company, when properly investigated by the proposed water authority, should be submitted for the consideration of Parliament, who should lay down the principles for the guidance of arbitrators, *Binnie* 4995–5004. 5013, 5014. 5020–5023. 5040, 5041——Prospect of the companies aiding the proposed investigation into their undertakings, as the corporation and the county council are only too anxious to come to terms with them, *ib.* 5034, 5035.

Necessity of inquiry before it is decided whether all the companies must be bought, *Harrison* 5304 *et seq.* 5486.

Absence of doubt in witness' mind as to the necessity of buying the companies, further information meanwhile being essential, *Haggis* 5591–5602. 5631——Possibility of terms being arrived at between the companies and the statutory committee previously to, and irrespectively of, the Report of the Royal Commission, *ib.* 5625–5630.

3. *General*

PURCHASE (WATER COMPANIES)—continued.

3. *General Concurrence in the View that the Companies should be Purchased:*

Conclusion that all the companies must eventually be bought, it being time enough to inquire as to price when notice is given to buy, *Frankland* 5054-5065.

Evidence to the effect that the whole of the companies should be purchased, that they should be fairly dealt with as having hitherto done the work, and that competition on the part of the municipal authority would be unfair, *Hill* 5107. 5117. 5123, 5124. 5126. 5245, 5246. 5289, 5290.

Concurrence in the view that in London, as at Liverpool and Birmingham, the water companies should be purchased by the municipal authority, *Deacon* 5798.

4. *Effect of Purchase as regards the Debt of London:*

Doubling of the present debt of London, the total of which is about 40,000,000 *l.* if the water companies be purchased, and if it cost 40,000,000 *l.* to do so, *Harrison* 5310-5323. 5412-5424.

5. *Views of Mr. Littler as to the lines on which Purchase, if decided upon, should proceed; Preference on his part for the present System of Supply:*

Explanation that on the whole, witness, individually, much doubts the expediency of the companies being purchased, that he considers London is very well off under the present system, and that it would be better to leave the supply in the hands of the companies, *Littler* 5924, 5925. 5944. 5962. 5991.

Great injustice to the companies if the principles of purchase and compensation did not follow the general law, *Littler* 5963-5966. 5983-5985——Approval of purchase by agreement rather than by compulsion, as saving much complication; that is, on condition that the county councils outside London have a proper voice in the purchase, *ib.* 5988-5990. 6011-6015.

6. *Unanimous Desire of the Companies to retain their Property in their own hands:*

Replies received by the county council from the several companies to the effect that they prefer to retain their property in their own hands, but will give the most careful consideration to any definite proposals on the part of the council, *Sir T. H. Farrer* 2963.

7. *Conclusions of the Committee:*

Expediency of the whole questions being carefully and deliberately inquired into by the London county council, with the assistance of professional advice, *Rep.* iii, iv.

Recommendation that the county council, if constituted the water authority, should be required to purchase, either alone or in conjunction with such of the authorities of the outside areas as may be arranged, the undertakings of the eight water companies (except, possibly, certain lands of the New River Company), by agreement, or, failing agreement, by arbitration, within a fixed period, *Rep.* iii, iv.

See also *Arbitration. Birmingham. Capital. Compensation to Officers. Competition. Compulsory Purchase. Debt of London. Delay. Inquiry. Lands Clauses Consolidation Act. London County Council. Market Value. Middlesex County Council. New River Company. Provincial Water Supplies. Rent Charge. Sinking Fund. Smith, Mr. (Purchase Scheme of* 1890). *Water Stock.*

Q.

QUALITY OF SUPPLY:

Admirable quality obtained by an admixture of chalk water with Thames water, *Wilkins* 52——Non-objection on the whole to the supplies from the Thames and Lea as regards its quality, though great care is necessary, *Grover* 1471. 1479-1482. 1495-1499——Very favourable reports by the Water Examiner, *ib.* 1498——Further recognition of the goodness of the present London supply, all that is required being to supplement it, *ib.* 1790, 1791. 1996.

Explanation that on the score of quality witness has no charge to make against the companies, and believes that they have done their utmost to make the water pure and good, *Sir T. H. Farrer* 3117. 3213-3229——Reference to reports of the Local Government Board and other documents respecting the difficulties of the Thames supply on the score of sewage and other impurities, *ib.* 3117-3130——Numerous insanitary difficulties set forth in the report of Dr. Blaxall, *ib.* 3121.

Reiteration of witness' view as to the satisfactory quality of the supply, though there are dangers of impurity, and inquiry on the subject is expedient, *Sir T. H. Farrer* 3218-3229——Views of Sir Robert Rawlinson as to the goodness and the sufficiency of the Thames supply, *ib.* 3558, 3559. 3563.

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QUALITY OF SUPPLY—continued.

Explanation generally as regards the quantity and quality of the supply that witness merely submits there is a case for inquiry, *Sir T. H. Farrer* 3560–3562——Increase doubtless in the rate of mortality if the water were badly tainted, *ib.* 4329–4332.

Concurrence in the view of Professor Frankland that none of the waters supplied to London are of such successive hardness as to influence their fitness for drinking, *Binnie* 4636.

Inability of the Committee, in the time at their disposal, to conduct satisfactorily any examination into the quality and quantity of the supply, *Rep.* iv——Contemplated inquiry on these points by the London county council, aided by professional advice, *ib.*

See also *Cisterns. Health. Lee River Valley. Thames Supply.*

Quantity of Supply and Rate of Consumption. See *Supply and Consumption.*

Quinquennial Valuation (Metropolis). Calculation that apart from new buildings the capital value of the increase of rates derivable by the companies from the quinquennial re-valuation would be about 943,000 *l.*, the estimated increase of revenue being about 37,700 *l.*; effect of the Bill that increase of capital value on this ground cannot be claimed by the companies, *Wilkins* 107–122. 495–498.

Examination with further reference to the annual and quinquennial increase in the rateable value of the metropolis, the total increase from all sources in the last five years having been about 2,500,000 *l.*; *Wilkins* 1086–1140. 1354–1358——Allowance made for the effects of the last quinquennial valuation in the present value of the shares in the market, *ib.* 2857–2864.

Evidence to the effect that, the next quinquennial valuation not being till 1896, so long as the questions at issue are settled by that year it will be time enough, *Littler* 5950–5952. 5959. 5978–5988. 5992.

R.

Rateable Value (Metropolis). Explanations respecting the annual and quinquennial increase in the rateable value of the metropolis, *Wilkins* 107–122. 495–498. 1086–1140——Total of 250,000 *l.* a year as the increase of rateable value from new buildings, *ib.* 1100–1106. 1126, 1127. 1130–1132.

Further explanation as to the estimated capital value of the annual increase of water rates through the increase of rateable value; estimate of 943,000 *l.* or twenty-five years' purchase of an increased income of 37,772 *l.* a year, *Wilkins* 1107–1125. 1141–1150. 1209, 1210——Doubt as to the number of new houses yearly in the districts of the several companies; large increase of income due to increase of assessment, *ib.* 1141–1150——Further statement as to the rateable value of London in 1885 and 1890; increase of more than 2,000,000 *l.*; *ib.* 1354–1358.

See also *Quinquennial Valuation.*

Ratepayers. Statement to the effect that in the event of the income from the water supply being insufficient to meet the expenditure, the ultimate liability will fall upon the ratepayers, *Wilkins* 1312–1321.

Examination as to the rating of the outside areas, witness not being prepared on this point to go into the financial portion of the Vestries' Bill; belief that there is ample security for the purchase-money, without the liability of the general rates, *Grover* 2216–2233.

Incidence upon the rates, not only of the interest on the purchase-money and the expenses of working, but of an additional charge of about 300,000 *l.* for redemption of capital in sixty years, *Harrison* 5472–5474. 5506, 5507.

Rawlinson, Sir Robert. Circumstance of Sir Robert Rawlinson having always held the opinion that better water cannot be obtained for London than from the present sources of supply, and that a sufficient quantity can be obtained from the Thames Valley, without going to North Wales or elsewhere, *Sir T. H. Farrer* 3558, 3559. 3593.

Reduction of Water Rates. Several grounds upon which a considerable reduction of water rates may be expected as the sinking fund takes effect (under the Vestries' Bill), *Wilkins* 175——Doubt as to any undue tendency in the Water Trust to reduce water rates (relatively to other rates), they being elected by the general body of consumers, *ib.* 1027–1033——Reference to the Glasgow and Manchester Water Acts and the provisions therein as to reduction of water rates and relief of the ratepayers, *ib.* 1317, 1318. 1322–1327.

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Regent's Canal. Explanation that it is not intended under the Bill to interfere with the rights of the Regent's Canal Company as to the sale of water for manufacturing purposes, *Wilkins* 688-697——Nor is it intended to interfere with the existing rights of the company to take water from Hendon or elsewhere for navigation purposes, *ib.* 698-703.

Regulation and Supervision of Companies. Evidence adverse to the proposition that, subject to strict regulations, control as to supply, restrictions as to capital, and other checks for the protection of the public, the companies should continue in charge of their undertakings, *Binnie* 4731-4767, 4957-4960 —— Possible avoidance of all financial difficulties if the companies were put under control instead of being purchased, *Harrison* 5352——Disapproval of the companies being regulated instead of purchased, *Haggis* 5631.

Recommendation by the Committee on the question of more complete supervision and control of the companies if not purchased by a public authority, *Rep.* iv.

See also *Management and Administration.*

Rent Charge. Alternative course by means of perpetual rent charges, whereby the difficulty and inequality in respect of capital and the charge for its redemption in thirty years may be obviated, *Harrison* 5324, 5325. 5332-5341. 5465-5469.

Reserve Fund. Advantage of the proposed reserve fund for contingencies, as under the Vestries' Bill, *Wilkins* 174.

Richmond. Approval of a continued right of supply in the corporation of Richmond, *Wilkins* 60-62——Grounds upon which, as regards Richmond, it is proposed to take a concurrent power of supply in the Water Trust, *ib.* 640-652.

Reference to a Bill promoted in 1890 by the local authorities of Richmond as based partly upon the lowering of water in the river through the improved tidal action, *Grover* 2134-2138——Evidence with further reference to the supply of Richmond, witness not advocating any powers in the Water Trust under the Bill than are already possessed by the Southwark and Vauxhall Company, *ib.* 2399-2417.

Desire of the county council not to interfere with the corporation of Richmond if prepared still to undertake their own supply, *Sir T. H. Farrer* 3636-3641.

Explanation of the circumstances under which the local authorities of Richmond took steps for providing an independent water supply; good and sufficient supply now afforded, the Southwark and Vauxhall Company being moreover under obligation to provide 1,000,000 gallons a day, *Bernard* 5846-5859.

Recommendation by the Committee that local authorities like Richmond, which already have an independent supply, should be guaranteed in the exercise of their present rights, *Rep.* iv.

Rickmansworth Water Company:

1. *Financial and other Particulars in connection with this Company.*
2. *Surplus Supply available and proposed to be used in Supplement of the London Supply.*

1. *Financial and other Particulars in connection with this Company.*

Small capital and small operations of the Rickmansworth Company, there being a large supply of water; grounds for buying up this company (and its water rights) rather than the Colne Company, *Wilkins* 314-340. 543-553——Explanation as to the resolution of the executive committee of the vestries for including the Rickmansworth Company in the Bill, and as to the extent to which they were guided or influenced by Mr. Grover, the engineer of the company, *ib.* 738-767. 792-800——Degree of liability (under the Bill) of country residents as regards rates, although they may not be supplied with water, *ib.* 808-822——Total of 60,000 *l.* as the apparent paid-up capital of the Rickmansworth Company, *ib.* 1349.

Active support given by the Southwark and Vauxhall Company to the Rickmansworth scheme, *Grover* 1467-1469— Favourable inspection of the springs by the engineer of the Southwark and Vauxhall Company, two of the directors having joined the Rickmansworth board, *ib.* 1467——Incomplete state of the Rickmansworth works, only about 400 houses being now supplied, *ib.* 1506, 1507.

Examination to the effect that witness is not aware of any negociations or efforts for the sale of the Rickmansworth undertaking, *Grover* 1550-1568——Circumstance of the Rickmansworth Company having promoted a Bill in 1889 for including Sunbury, Shepperton, and other places in their limits of supply, the Bill having, however, been withdrawn before a second reading, *ib.* 1750-1762.

Examination to the effect that the engineer of the Southwark and Vauxhall Company did not examine the Rickmansworth scheme on the part of his company, but only at the instance of two of the directors who subsequently joined the Rickmansworth board, *Grover*, 2089-2121——Statement on the subject of the proposed purchase of the Rickmansworth undertaking and the part taken by witness on this point, *ib.* 2438-2449.

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Rickmansworth Water Company—continued.

1. *Financial and other Particulars in connection with this Company*—continued.

Further explanation as to the countenance given to the Rickmansworth scheme by two of the directors and the engineer of the Southwark and Vauxhall Company, but not as representing the company, *Grover* 2668–2674——Reference to the share capital of the Rickmansworth Company as consisting of 5,921 shares of 10*l.* each; doubt as to the market value, *ib.* 2920–2924——Explanations upon the question of the local authority at Rickmansworth and Watford having received notice of the intention to buy the Rickmansworth undertaking, *ib.* 2925–2934.

2. *Surplus Supply available and proposed to be used in Supplement of the London Supply.*

Estimated quantity of twenty to thirty millions of gallons daily, available from the Rickmansworth source, *Wilkins* 51–55. 339, 340——Importance attached to the surplus supply of the Rickmansworth Company, though it is not a vital part of the Vestries' Bill to buy up this company, *ib.* 737.

Examination respecting the supply of chalk water obtainable from the Watford district of the Rickmansworth Company, and the probable effect upon the springs in the district: reference hereon to the reports of the Duke of Richmond and Sir Robert Rawlinson, *Wilkins* 768-807.

Particulars respecting the Rickmansworth and Uxbridge district as regards the supplementary chalk supply available for the metropolis; calculation that by sinking four or five wells 20,000.000 gallons a day may safely be depended upon, *Grover* 1430–1432. 1443–1442——Long period (some 250 years) during which schemes have, at intervals, been promoted for supplying London from Rickmansworth; authority of Stephenson, the engineer, cited as to the large supply thence obtainable, *ib.* 1444–1449. 1526–1528 —— Power under the Rickmansworth Waterworks Act of 1884 to supply water to London after the local needs are satisfied; also, to supply in bulk to other undertakings, *ib.* 1451–1458.

Proposal that the water be brought to the Ealing reservoir of the Grand Junction Company, *Grover* 1537——Probability that 400,000 gallons a day would satisfy the wants of the Rickmansworth population, *ib.* 1569–1573.

Examination in detail at variance with the view that the proposed abstraction of large supplies from the chalk in the Rickmansworth district will seriously diminish the supply in the valley of the Colne, and, consequently, in the Thames at the intakes of the companies, *Grover* 1589–1717.

Further statement as to the large percolation of water into the chalk in the Rickmansworth district, over an area of 234 square miles, so that witness calculates not only upon a surplus supply of 20,000 gallons a day, but submits that this can be realised without abstracting any of the water now finding its way into the Thames, *Grover* 1763–1799. 1865–1883—— Denial that there is any necessary connection between the rise and fall of water in wells and in rivers, *ib.* 1784–1789.

Examination as to the extent of the powers of the Rickmansworth Company under their Acts in 1884 and 1885 in respect to sinking wells, and getting water for the supply of the district; full power of other companies so make application to Parliament for this purpose, *Grover* 1953–1988——Small supply per head in the Rickmansworth district as compared with London, *ib.* 2016——Very small requirements of the Rickmansworth district as regards water-closet supplies; extent of the demand for public purposes, *ib.* 2048–2077.

Explanation upon the question of the promoters of the Rickmansworth scheme having in the first instance contemplated an extension of their area of supply, so as to supplement the metropolitan supply, *Grover* 2450–2466—— Conclusion that no injury whatever can result to Watford, Uxbridge, or certain other places by the Rickmansworth company being taken over by the water trust, and a large quantity of water being taken from the district for the metropolis, *ib.* 2481–2548.

Data further submitted for the estimate that the rainfall in the Rickmansworth area represents some 234,000,000 gallons a-day, whereas it is proposed to take only 20,000,000 gallons towards the supply of London, *Grover* 2572–2584——Explanations, in connection with diagram relative to the results shown by recent pumping experiments at Rickmansworth, witness being perfectly confident that at least 20,000,000 gallons daily may be drawn from this source in aid of the supply of London; belief that much more might be taken, *ib.* 2585–2616. 2652——Practical junction between the Rickmansworth and Grand Junction districts, *ib.* 2704–2707.

See also *Hertfordshire. Webster, Mr.*

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SPECIAL

REPORT

FROM THE

COMMITTEE

ON THE

MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY (EXTENSION TO LONDON) BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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292.

MEMBERS OF THE COMMITTEE.

Mr. Woodall, Chairman.	Mr. Powell-Williams.
Mr. Paulton.	Mr. Ainslie.

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SPECIAL REPORT.

Mr. Woodall reported from the Committee on the Manchester, Sheffield, and Lincolnshire Railway (Extension to London) Bill: That with respect to the Instruction of the House of 17th March,

The Committee had agreed to the following SPECIAL REPORT:—

1. The Members of the Committee endeavoured in the course of their inquiry to carry out the intention of the Instruction, and various witnesses gave them considerable assistance in the attempt. But in the absence of the definite plans which would be furnished by a rival scheme, they found it impossible to arrive at anything more than a *primâ facie* opinion in regard to the alternative sites suggested, or to come to any conclusion concerning them.

2. Hence, while they were enabled to form an estimate of the merits and demerits of the proposal for a terminus on the site at Boscobel Gardens, they could not say whether such site was or was not the best that could be devised in the interest of the people of London. They would respectfully submit to the House that this conclusion was inevitable, and that their experience may justify some hesitation in the adoption hereafter of Instructions unaccompanied by adequate means for their perfect fulfilment. The evidence presented to the Committee has satisfied them that the introduction, by whatever route, of another line like that proposed by the Sheffield Company, must present serious, though probably not insurmountable difficulties, while the access to any site that may ultimately be determined on, and the congestion of traffic upon the already overcrowded streets, must render urgent the construction of new and wider thoroughfares, especially between the northern and southern parts of London.

3. In view of these considerations, and of the important railway projects for which Parliamentary sanction has been given, but the powers for which have not yet been exercised, and of the probability of further demands for railway access to London, the Committee submit that if, in the opinion of the House, it is desirable that Parliament should be more fully informed upon the important and complex questions involved in and incidental to the Instruction, the House may with advantage consider the expediency of instituting an exhaustive inquiry by a Joint Committee of the two Houses of Parliament, with the assistance of the Government Departments and of the local authorities interested, into the general subject of railway access into London from the provinces, and the communication between the several northern termini and the metropolitan and southern railways, as well as into the effect of the increasing passenger, goods, and mineral traffic upon the main thoroughfares by which the various stations are approached. Such a Joint Committee rendered important and somewhat analogous service in the Session of 1864, in continuation of the inquiry undertaken in the previous year by a Committee of the House of Lords, which Committee was instructed then, as it is suggested a Joint Committee might be in like manner instructed now,—

"To consider what provision can be made for the securing such a comprehensive "system with the greatest advantage to the public, and the least inconvenience to the "local arrangements of the metropolis."

24 *June* 1891.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 23*rd June* 1891.

MEMBERS PRESENT:

Mr. Woodall, Chairman.	Mr. Powell-Williams.
Mr. Paulton.	Mr. Ainslie.

MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY (EXTENSION TO LONDON) BILL.

Instruction of the House of the 17th March last, read: "That it be an Instruction to the Committee that they have power to take evidence, and to Report to the House, whether the site of the terminus proposed in the Bill is the best which can be devised in the interest of the people of London."

The Committee deliberated, with respect to their Special Report, on the Instruction of the House.

[Adjourned till To-morrow, at Half-past Three o'clock.

Wednesday, 24*th June* 1891.

MEMBERS PRESENT:

Mr. Woodall, Chairman.	Mr. Powell-Williams.
Mr. Paulton.	Mr. Ainslie.

MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY (EXTENSION TO LONDON) BILL.

DRAFT SPECIAL REPORT, proposed by the *Chairman*, and read the first time, as follows:—

"1. The Members of the Committee endeavoured in the course of their inquiry to carry out the intention of the Instruction, and various witnesses gave them considerable assistance in the attempt. But, in the absence of the definite plans which would be furnished by a rival scheme, they found it impossible to arrive at anything more than a *primâ facie* opinion in regard to the alternative sites suggested, or to come to any conclusion concerning them.

"2. Hence, while they were enabled to form an estimate of the merits and demerits of the proposal for a terminus on the site at Boscobel Gardens, they could not say whether such site was or was not the best that could be devised in the interest of the people of London. They would respectfully submit to the House that this conclusion was inevitable, and that their experience may justify some hesitation in the adoption hereafter of Instructions unaccompanied by adequate means for their perfect fulfilment. The evidence presented to the Committee has satisfied them that the introduction, by whatever route, of another line like that proposed by the Sheffield Company, must present serious, though probably not insurmountable difficulties, while the access to any site that may ultimately be determined on, and the congestion of traffic upon the already over-crowded streets, must render urgent the construction of new and wider thoroughfares, especially between the northern and southern parts of London.

"3. In view of these considerations, and of the important railway projects for which Parliamentary sanction has been given, but the powers for which have not yet been exercised, and of the probability of further demands for railway access to London, the Committee submit that

that if, in the opinion of the House, it is desirable that Parliament should be more fully informed upon the important and complex questions involved in and incidental to the Instruction, the House may with advantage consider the expediency of instituting an exhaustive inquiry by a Joint Committee of the two Houses of Parliament, with the assistance of the Government Departments and of the local authorities interested, into the general subject of railway access into London from the provinces, and the communication between the several northern termini and the metropolitan and southern railways, as well as into the effect of the increasing passenger, goods, and mineral traffic upon the main thoroughfares by which the various stations are approached. Such a Joint Committee rendered important and somewhat analogous service in the Session of 1864, in continuation of the inquiry undertaken in the previous year by a Committee of the House of Lords, which Committee was instructed then, as it is suggested a Joint Committee might be in like manner instructed now,—

"'To consider what provision can be made for the securing such a comprehensive system 'with the greatest advantage to the public, and the least inconvenience to the local 'arrangements of the metropolis.'"

Draft Special Report, proposed by the *Chairman*, and read a second time, paragraph by paragraph.

Paragraph 1, *agreed to.*

Paragraph 2.—Amendment proposed in line 6, to leave out from the word "fulfilment" to the end of the paragraph—(Mr. *Paulton*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 3.	Noe, 1.
Mr. Woodall.	Mr. Paulton.
Mr. Powell-Williams.	
Mr. Ainslie.	

Paragraph *agreed to.*

Paragraph 3.—Question put, That the paragraph stand part of the Report.—The Committee divided:

Ayes, 2.	Noes, 2.
Mr. Woodall.	Mr. Paulton.
Mr. Powell-Williams.	Mr. Ainslie.

Whereupon the Chairman declared himself with the *Ayes*

Question, That this Report be the Special Report of the Committee to the House,—put, and *agreed to.*

Ordered, To Report.

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SPECIAL

REPORT

FROM THE

COMMITTEE

ON THE

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WITH THE

PROCEEDINGS OF THE COMMITTEE.

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